

Union Calendar No. 5

109TH CONGRESS
1ST SESSION

H. R. 3

[Report No. 109–12]

To authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 9, 2005

Mr. YOUNG of Alaska (for himself, Mr. OBERSTAR, Mr. PETRI, Mr. DEFazio, Mr. BOEHLERT, Mr. RAHALL, Mr. COBLE, Mr. COSTELLO, Mr. DUNCAN, Ms. NORTON, Mr. GILCHREST, Mr. NADLER, Mr. MICA, Mr. MENENDEZ, Mr. HOEKSTRA, Ms. CORRINE BROWN of Florida, Mr. EHLERS, Mr. FILNER, Mr. BACHUS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LATOURETTE, Mr. TAYLOR of Mississippi, Mrs. KELLY, Ms. MILLENDER-McDONALD, Mr. BAKER, Mr. CUMMINGS, Mr. NEY, Mr. BLUMENAUER, Mr. LOBIONDO, Mrs. TAUSCHER, Mr. MORAN of Kansas, Mr. PASCRELL, Mr. GARY G. MILLER of California, Mr. BOSWELL, Mr. HAYES, Mr. HOLDEN, Mr. SIMMONS, Mr. BAIRD, Mr. BROWN of South Carolina, Ms. BERKLEY, Mr. JOHNSON of Illinois, Mr. MATHESON, Mr. PLATTS, Mr. HONDA, Mr. GRAVES, Mr. LARSEN of Washington, Mr. KENNEDY of Minnesota, Mr. CAPUANO, Mr. SHUSTER, Mr. WEINER, Mr. BOOZMAN, Ms. CARSON, Mr. PEARCE, Mr. BISHOP of New York, Mr. GERLACH, Mr. MICHAUD, Mr. MARIO DIAZ-BALART of Florida, Mr. DAVIS of Tennessee, Mr. PORTER, Mr. CHANDLER, Mr. OSBORNE, Mr. HIGGINS, Mr. MARCHANT, Mr. CARNAHAN, Mr. SODREL, Ms. SCHWARTZ of Pennsylvania, Mr. DENT, Mr. SALAZAR, Mr. POE, Mr. REICHERT, Mr. MACK, Mr. KUHL of New York, Mr. FORTUÑO, Mr. WESTMORELAND, and Mr. BOUSTANY) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

MARCH 7, 2005

Additional sponsors: Ms. HOOLEY, Mr. FRANK of Massachusetts, Mr. WU, Mr. RYAN of Ohio, and Mr. HOLT

MARCH 7, 2005

Reported with an amendment, committed to the Committee of the Whole
House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on February 9, 2005]

A BILL

To authorize funds for Federal-aid highways, highway safety
programs, and transit programs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE, TABLE OF CONTENTS.**

4 (a) *SHORT TITLE.*—*This Act may be cited as the*
5 *“Transportation Equity Act: A Legacy for Users”.*

6 (b) *SECRETARY DEFINED.*—*In this Act, the term “Sec-*
7 *retary” means the Secretary of Transportation.*

8 (c) *TABLE OF CONTENTS.*—*The table of contents for*
9 *this Act is as follows:*

Sec. 1. Short title, table of contents.

TITLE I—FEDERAL-AID HIGHWAYS

Subtitle A—Authorization of Programs

Sec. 1101. Authorizations of appropriations.

Sec. 1102. Obligation ceiling.

Sec. 1103. Apportionments.

Sec. 1104. Minimum guarantee.

Sec. 1105. Project approval and oversight.

Sec. 1106. Use of excess funds.

Sec. 1107. Temporary traffic control devices.

Sec. 1108. Revenue aligned budget authority.

Sec. 1109. Emergency relief.

Sec. 1110. Surface transportation program.

Sec. 1111. Highway use tax evasion projects.

Sec. 1112. Appalachian development highway system.

- Sec. 1113. Construction of ferry boats and ferry terminal facilities.*
- Sec. 1114. Interstate maintenance discretionary.*
- Sec. 1115. Highway bridge.*
- Sec. 1116. Transportation and community and system preservation program.*
- Sec. 1117. Deployment of magnetic levitation transportation projects.*
- Sec. 1118. Recreational trails.*
- Sec. 1119. Federal lands highways.*
- Sec. 1120. Conservation measures.*
- Sec. 1121. Pedestrian and cyclist equity.*
- Sec. 1122. National commissions.*
- Sec. 1123. Adjustments for the Surface Transportation Extension Act of 2004,
Part V.*
- Sec. 1124. Roadway safety.*
- Sec. 1125. Equity requirement.*

Subtitle B—Congestion Relief

- Sec. 1201. Motor vehicle congestion relief.*
- Sec. 1202. Transportation systems management and operations.*
- Sec. 1203. Real-time system management information program.*
- Sec. 1204. Expedited national intelligent transportation systems deployment program.*
- Sec. 1205. Intelligent transportation systems deployment.*
- Sec. 1206. Environmental review of activities that support deployment of intelligent transportation systems.*
- Sec. 1207. State assumption of responsibilities for certain programs and projects.*
- Sec. 1208. HOV facilities.*
- Sec. 1209. Congestion pricing pilot program.*
- Sec. 1210. Congestion mitigation and air quality improvement program eligibility.*
- Sec. 1211. Special rules for State assumption of responsibilities.*
- Sec. 1212. Opening of Interstate ramps.*

Subtitle C—Mobility and Efficiency

- Sec. 1301. National corridor infrastructure improvement program.*
- Sec. 1302. Coordinated border infrastructure program.*
- Sec. 1303. Freight intermodal connectors.*
- Sec. 1304. Projects of national and regional significance.*
- Sec. 1305. Dedicated truck lanes.*
- Sec. 1306. Truck parking facilities.*

Subtitle D—Highway Safety

- Sec. 1401. Highway safety improvement program.*
- Sec. 1402. Worker injury prevention and free flow of vehicular traffic.*
- Sec. 1403. High risk rural road safety improvement program.*
- Sec. 1404. Transfers of apportionments to safety programs.*
- Sec. 1405. Safety incentive grants for use of seat belts.*
- Sec. 1406. Safety incentives to prevent operation of motor vehicles by intoxicated persons.*
- Sec. 1407. Repeat offenders for driving while intoxicated.*
- Sec. 1408. Repair or replacement of highway features on National Highway System.*

Subtitle E—Construction and Contract Efficiencies

- Sec. 1501. Design–build.*
- Sec. 1502. Warranty highway construction project pilot program.*
- Sec. 1503. Private investment study.*
- Sec. 1504. Highways for LIFE pilot program.*

Subtitle F—Finance

- Sec. 1601. Transportation Infrastructure Finance and Innovation Act.*
- Sec. 1602. State infrastructure banks.*
- Sec. 1603. Interstate System reconstruction and rehabilitation toll pilot program.*
- Sec. 1604. Interstate System construction toll pilot program.*
- Sec. 1605. Special rules relating to State infrastructure bank program.*

Subtitle G—High Priority Projects

- Sec. 1701. High priority projects program.*
- Sec. 1702. Project authorizations.*

Subtitle H—Miscellaneous Provisions

- Sec. 1801. Budget justification.*
- Sec. 1802. Motorist information.*
- Sec. 1803. Motorist information concerning full-service restaurants.*
- Sec. 1804. High priority corridors on the National Highway System.*
- Sec. 1805. Additions to Appalachian region.*
- Sec. 1806. Transportation assets and needs of Delta region.*
- Sec. 1807. Toll facilities workplace safety study.*
- Sec. 1808. Pavement marking systems demonstration projects.*
- Sec. 1809. Work zone safety grants.*
- Sec. 1810. Grant program to prohibit racial profiling.*
- Sec. 1811. America’s Byways Resource Center.*
- Sec. 1812. Technical adjustment.*
- Sec. 1813. Road user charge evaluation pilot project.*
- Sec. 1814. Thomas P. “Tip” O’Neill, Jr. Tunnel.*
- Sec. 1815. Conforming amendment for transportation planning sections.*
- Sec. 1816. Distribution of metropolitan planning funds within States.*
- Sec. 1817. Treatment of off ramp.*
- Sec. 1818. Loan forgiveness.*
- Sec. 1819. Lead agency designation.*
- Sec. 1820. Use of debris from demolished bridges and overpasses.*
- Sec. 1821. Hubzone program.*
- Sec. 1822. Technical amendments to TEA 21 projects.*
- Sec. 1823. National Work Zone Safety Information Clearinghouse.*
- Sec. 1824. Transportation conformity.*
- Sec. 1825. Eligibility to participate in western Alaska community development quota program.*
- Sec. 1826. Metropolitan regional freight and passenger transportation study.*
- Sec. 1827. Intermodal transportation facility expansion.*
- Sec. 1828. Advanced truck stop electrification system.*
- Sec. 1829. Technology.*
- Sec. 1830. Extension of public transit vehicle exemption from axle weight restrictions.*
- Sec. 1831. Motorcyclist Advisory Council.*
- Sec. 1832. Sharing of monetary recoveries.*
- Sec. 1833. Eligibility under CMAQ.*

- Sec. 1834. Sense of Congress regarding Buy America.*
- Sec. 1835. Community enhancement study.*
- Sec. 1836. Transportation and local workforce investment.*
- Sec. 1837. Special rule for fiscal year 2004.*

TITLE II—HIGHWAY SAFETY

- Sec. 2001. Authorization of appropriations.*
- Sec. 2002. Occupant protection incentive grants.*
- Sec. 2003. Alcohol-impaired driving countermeasures.*
- Sec. 2004. State traffic safety information system improvements.*
- Sec. 2005. High visibility enforcement program.*
- Sec. 2006. Motorcycle crash causation study.*
- Sec. 2007. Child safety and child booster seat incentive grants.*
- Sec. 2008. Motorcyclist safety.*
- Sec. 2009. Driver fatigue.*
- Sec. 2010. Authorization of appropriations for highway safety research and development.*
- Sec. 2011. Safety data.*
- Sec. 2012. Driver performance study.*

TITLE III—FEDERAL TRANSIT ADMINISTRATION PROGRAMS

- Sec. 3001. Short title; amendments to title 49, United States Code.*
- Sec. 3002. Policies, findings, and purposes.*
- Sec. 3003. Definitions.*
- Sec. 3004. Metropolitan planning.*
- Sec. 3005. Statewide planning.*
- Sec. 3006. Planning programs.*
- Sec. 3007. Private enterprise participation.*
- Sec. 3008. Urbanized area formula grants.*
- Sec. 3009. Clean fuels formula grant program.*
- Sec. 3010. Capital investment grants.*
- Sec. 3011. Formula grants for special needs of elderly individuals and individuals with disabilities.*
- Sec. 3012. Formula grants for other than urbanized areas.*
- Sec. 3013. Research, development, demonstration, and deployment projects.*
- Sec. 3014. Cooperative research program.*
- Sec. 3015. National research and technology programs.*
- Sec. 3016. National Transit Institute.*
- Sec. 3017. Job access and reverse commute formula grants.*
- Sec. 3018. New Freedom program.*
- Sec. 3019. Bus testing facility.*
- Sec. 3020. Bicycle facilities.*
- Sec. 3021. Transit in the parks pilot program.*
- Sec. 3022. Human resource programs.*
- Sec. 3023. General provisions on assistance.*
- Sec. 3024. Special provisions for capital projects.*
- Sec. 3025. Contract requirements.*
- Sec. 3026. Project management oversight and review.*
- Sec. 3027. Investigations of safety and hazards.*
- Sec. 3028. State safety oversight.*
- Sec. 3029. Controlled substances and alcohol misuse testing.*
- Sec. 3030. Employee protective arrangements.*
- Sec. 3031. Administrative procedures.*
- Sec. 3032. National transit database.*

- Sec. 3033. Apportionments based on fixed guideway factors.*
Sec. 3034. Authorizations.
Sec. 3035. Over-the-road bus accessibility program.
Sec. 3036. Updated terminology.
Sec. 3037. Project authorizations for new fixed guideway capital projects.
Sec. 3038. Projects for bus and bus-related facilities.
Sec. 3039. National fuel cell bus technology development program.
Sec. 3040. High-intensity small-urbanized area formula grant program.
Sec. 3041. Allocations for national research and technology programs.
Sec. 3042. Relationship to other laws.
Sec. 3043. Cooperative procurement.
Sec. 3044. Obligation ceiling.
*Sec. 3045. Adjustments for the Surface Transportation Extension Act of 2004,
 Part V.*
Sec. 3046. Special rule for fiscal year 2004.

TITLE IV—MOTOR CARRIER TRANSPORTATION AND SAFETY

Subtitle A—Commercial Motor Vehicle Safety

- Sec. 4101. Authorization of appropriations.*
Sec. 4102. Motor carrier safety grants.
Sec. 4103. Border enforcement grants.
Sec. 4104. Commercial driver's license improvements.
Sec. 4105. Hobbs Act.
Sec. 4106. Penalty for denial of access to records.
Sec. 4107. Medical Review Board.
Sec. 4108. Increased penalties for out-of-service violations and false records.
Sec. 4109. Commercial vehicle information systems and networks deployment.
Sec. 4110. Safety fitness.
Sec. 4111. Pattern of safety violations by motor carrier management.
Sec. 4112. Motor carrier research and technology program.
Sec. 4113. International cooperation.
Sec. 4114. Performance and registration information System management.
Sec. 4115. Data quality improvement.
Sec. 4116. Driveaway saddlemount vehicles.
Sec. 4117. Completion of uniform carrier registration.
Sec. 4118. Registration of motor carriers and freight forwarders.
Sec. 4119. Deposit of certain civil penalties into Highway Trust Fund.
Sec. 4120. Outreach and education.
Sec. 4121. Insulin treated diabetes mellitus.
Sec. 4122. Grant program for commercial motor vehicle operators.
Sec. 4123. Commercial motor vehicle safety advisory committee.
Sec. 4124. Safety data improvement program.
Sec. 4125. Commercial driver's license information System modernization.
*Sec. 4126. Maximum hours of service for operators of ground water well drilling
 rigs.*
Sec. 4127. Safety performance history screening.
Sec. 4128. Intermodal chassis roadability rule-making.
Sec. 4129. Substance abuse professionals.
Sec. 4130. Interstate van operations.
Sec. 4131. Hours of service for operators of utility service vehicles.
Sec. 4132. Technical corrections.
Sec. 4133. Intrastate and foreign operations of interstate motor carriers.
*Sec. 4134. Operators of vehicles transporting agricultural commodities and farm
 supplies.*

- Sec. 4135. Hours of service rules for operators providing transportation to movie production sites.*
Sec. 4136. Special rule for fiscal year 2004.

Subtitle B—Household Goods Transportation

- Sec. 4201. Federal-State relations relating to transportation of household goods.*
Sec. 4202. Arbitration requirements.
Sec. 4203. Civil Penalties relating to household goods brokers and unauthorized transportation.
Sec. 4204. Civil penalty for holding household goods hostage.
Sec. 4205. Working group for development of practices and procedures to enhance Federal-State relations.
Sec. 4206. Consumer handbook on DOT web site.
Sec. 4207. Release of household goods broker information.
Sec. 4208. Consumer complaint information.
Sec. 4209. Insurance regulations.
Sec. 4210. Estimating requirements.
Sec. 4211. Application of State consumer protection laws to certain household goods carriers.
Sec. 4212. Applicability to household goods motor carriers.
Sec. 4213. Violations of Out-of-Service Orders.
Sec. 4214. Criminal penalty for holding goods hostage.

TITLE V—TRANSPORTATION RESEARCH AND EDUCATION

Subtitle A—Funding

- Sec. 5101. Authorization of appropriations.*
Sec. 5102. Obligation ceiling.
Sec. 5103. Findings.

Subtitle B—Research, Technology, and Education

- Sec. 5201. Research, technology, and education.*
Sec. 5202. Long-term bridge performance program; innovative bridge research and deployment program.
Sec. 5203. Surface transportation environment and planning cooperative research program.
Sec. 5204. Technology deployment.
Sec. 5205. Training and education.
Sec. 5206. Freight planning capacity building.
Sec. 5207. Advanced travel forecasting procedures program.
Sec. 5208. National cooperative freight transportation research program.
Sec. 5209. Future strategic highway research program.
Sec. 5210. Transportation safety information management system project.
Sec. 5211. Surface transportation congestion relief solutions research initiative.
Sec. 5212. Motor carrier efficiency study.
Sec. 5213. Transportation research and development strategic planning.
Sec. 5214. Limitation on remedies for future strategic highway research program.
Sec. 5215. Center for Transportation Advancement and Regional Development.

Subtitle C—University Transportation Research; Scholarship Opportunities

- Sec. 5301. National university transportation centers.*
Sec. 5302. University transportation research.
Sec. 5303. Transportation scholarship opportunities program.

Subtitle D—Advanced Technologies

- Sec. 5401. Advanced heavy-duty vehicle technologies research program.*
Sec. 5402. Commercial remote sensing products and spatial information technologies.

Subtitle E—Transportation Data and Analysis

- Sec. 5501. Bureau of Transportation Statistics.*
Sec. 5502. Reports of Bureau of Transportation Statistics.

Subtitle F—Intelligent Transportation Systems Research

- Sec. 5601. Short title.*
Sec. 5602. Goals and purposes.
Sec. 5603. General authorities and requirements.
Sec. 5604. National architecture and Standards.
Sec. 5605. Research and development.
Sec. 5606. Infrastructure development.
Sec. 5607. Road weather research and development program.
Sec. 5608. Definitions.
Sec. 5609. Rural interstate corridor communications study.
Sec. 5610. Centers for surface transportation excellence.
Sec. 5611. Repeal.
Sec. 5612. Special rule for fiscal year 2004.

TITLE VI—TRANSPORTATION PLANNING AND PROJECT DELIVERY

- Sec. 6001. Transportation planning.*
Sec. 6002. Efficient environmental reviews for project decisionmaking.
Sec. 6003. Policy on historic sites.
Sec. 6004. Exemption of Interstate System.
Sec. 6005. Interstate compacts.
Sec. 6006. Development of transportation plan.
Sec. 6007. Interstate agreements.
Sec. 6008. Regulations relating to transportation planning.
Sec. 6009. Special rules relating to project development procedures.

TITLE VII—HAZARDOUS MATERIALS TRANSPORTATION

- Sec. 7001. Amendment of title 49, United States Code.*
Sec. 7002. Findings and purpose.
Sec. 7003. Definitions.
Sec. 7004. General regulatory authority.
Sec. 7005. Chemical or biological materials.
Sec. 7006. Representation and tampering.
Sec. 7007. Technical amendments.
Sec. 7008. Training of certain employees.
Sec. 7009. Registration.
Sec. 7010. Providing shipping papers.
Sec. 7011. Rail tank cars.
Sec. 7012. Unsatisfactory safety rating.
Sec. 7013. Training curriculum for the public sector.
Sec. 7014. Planning and training grants, monitoring, and review.
Sec. 7015. Special permits and exclusions.
Sec. 7016. Uniform forms and Procedures.
Sec. 7017. International uniformity of standards and requirements.

Sec. 7018. *Administrative.*

Sec. 7019. *Enforcement.*

Sec. 7020. *Civil penalty.*

Sec. 7021. *Criminal penalty.*

Sec. 7022. *Preemption.*

Sec. 7023. *Relationship to other laws.*

Sec. 7024. *Judicial review.*

Sec. 7025. *Authorization of appropriations.*

Sec. 7026. *Determining amount of undeclared shipments of hazardous materials entering the United States.*

Sec. 7027. *Conforming amendments.*

*TITLE VIII—TRANSPORTATION DISCRETIONARY SPENDING
GUARANTEE*

Sec. 8001. *Policy.*

1 **TITLE I—FEDERAL-AID**
2 **HIGHWAYS**
3 **Subtitle A—Authorization of**
4 **Programs**

5 **SEC. 1101. AUTHORIZATIONS OF APPROPRIATIONS.**

6 (a) *IN GENERAL.*—*The following sums are authorized*
7 *to be appropriated from the Highway Trust Fund (other*
8 *than the Mass Transit Account):*

9 (1) *INTERSTATE MAINTENANCE PROGRAM.*—*For*
10 *the Interstate maintenance program under section*
11 *119 of title 23, United States Code, \$4,323,076,000*
12 *for fiscal year 2004, \$4,431,153,000 for fiscal year*
13 *2005, \$4,541,932,000 for fiscal year, 2006,*
14 *\$4,655,480,000 for fiscal year 2007, \$4,771,867,000*
15 *for fiscal year 2008, and \$4,891,164,000 for fiscal*
16 *year 2009.*

17 (2) *NATIONAL HIGHWAY SYSTEM.*—*For the Na-*
18 *tional Highway System under section 103 of that*

1 *title, \$5,187,691,000 for fiscal year 2004,*
2 *\$5,317,383,000 for fiscal year 2005, \$5,450,318,000*
3 *for fiscal year 2006, \$5,586,576,000 for fiscal year*
4 *2007, \$5,726,240,000 for fiscal year 2008, and*
5 *\$5,869,396,000 for fiscal year 2009.*

6 (3) *BRIDGE PROGRAM.—For the bridge program*
7 *under section 144 of that title, \$3,709,440,000 for fis-*
8 *cal year 2004, \$3,802,176,000 for fiscal year 2005,*
9 *\$3,897,231,000 for fiscal year 2006, \$3,994,661,000*
10 *for fiscal year 2007, \$4,094,528,000 for fiscal year*
11 *2008, and \$4,196,891,000 for fiscal year 2009.*

12 (4) *HIGHWAY SAFETY IMPROVEMENT PRO-*
13 *GRAM.—For the highway safety improvement pro-*
14 *gram under sections 130 and 152 of that title,*
15 *\$630,000,000 for fiscal year 2005, \$645,000,000 for*
16 *fiscal year 2006, \$660,000,000 for fiscal year 2007,*
17 *\$680,000,000 for fiscal year 2008, and \$695,000,000*
18 *for fiscal year 2009. Of such funds $\frac{1}{3}$ per fiscal year*
19 *shall be available to carry out section 130 and $\frac{2}{3}$*
20 *shall be available to carry out section 152.*

21 (5) *SURFACE TRANSPORTATION PROGRAM.—For*
22 *the surface transportation program under section 133*
23 *of that title, \$6,052,306,000 for fiscal year 2004,*
24 *\$6,203,614,000 for fiscal year 2005, \$6,358,704,000*
25 *for fiscal year 2006, \$6,517,672,000 for fiscal year*

1 2007, \$6,680,614,000 for fiscal year 2008, and
2 \$6,847,629,000 for fiscal year 2009.

3 (6) *CONGESTION MITIGATION AND AIR QUALITY*
4 *IMPROVEMENT PROGRAM.*—For the congestion mitiga-
5 tion and air quality improvement program under sec-
6 tion 149 of that title, \$1,469,846,000 for fiscal year
7 2004, \$1,506,592,000 for fiscal year 2005,
8 \$1,544,257,000 for fiscal year 2006, \$1,582,863,000
9 for fiscal year 2007, \$1,622,435,000 for fiscal year
10 2008, and \$1,662,996,000 for fiscal year 2009.

11 (7) *APPALACHIAN DEVELOPMENT HIGHWAY SYS-*
12 *TEM PROGRAM.*—For the Appalachian development
13 highway system program under section 14501 of title
14 40, United States Code, \$460,000,000 for fiscal year
15 2004 and \$470,000,000 for each of fiscal years 2005
16 through 2009.

17 (8) *RECREATIONAL TRAILS PROGRAM.*—For the
18 recreational trails program under section 206 of title
19 23, United States Code, \$53,000,000 for fiscal year
20 2004, \$70,000,000 for fiscal year 2005, \$80,000,000
21 for fiscal year 2006, \$90,000,000 for fiscal year 2007,
22 \$100,000,000 for fiscal year 2008, and \$110,000,000
23 for fiscal year 2009.

24 (9) *FEDERAL LANDS HIGHWAYS PROGRAM.*—

1 (A) *INDIAN RESERVATION ROADS.*—*For In-*
2 *dian reservation roads under section 204 of title*
3 *23, United States Code, \$325,000,000 for fiscal*
4 *year 2004, \$365,000,000 for fiscal year 2005,*
5 *\$390,000,000 for fiscal year 2006, \$395,000,000*
6 *for fiscal year 2007, \$420,000,000 for fiscal year*
7 *2008, and \$420,000,000 for fiscal year 2009.*

8 (B) *PARK ROADS AND PARKWAYS.*—*For*
9 *park roads and parkways roads under section*
10 *204 of that title, \$170,000,000 for fiscal year*
11 *2004, \$185,000,000 for fiscal year 2005,*
12 *\$200,000,000 for fiscal year 2006, \$215,000,000*
13 *for fiscal year 2007, \$225,000,000 for fiscal year*
14 *2008, and \$225,000,000 for fiscal year 2009.*

15 (C) *PUBLIC LANDS HIGHWAY.*—*For public*
16 *lands highway under section 204 of that title,*
17 *\$250,000,000 for fiscal year 2004, \$260,000,000*
18 *for fiscal year 2005, \$280,000,000 for fiscal year*
19 *2006, \$280,000,000 for fiscal year 2007,*
20 *\$290,000,000 for fiscal year 2008, and*
21 *\$300,000,000 for fiscal year 2009.*

22 (D) *REFUGE ROADS.*—*For refuge roads*
23 *under section 204 of that title, \$20,000,000 for*
24 *each of fiscal years 2004 through 2009.*

1 (10) *NATIONAL CORRIDOR INFRASTRUCTURE IM-*
2 *PROVEMENT PROGRAM.—For the national corridor in-*
3 *frastructure improvement program under section*
4 *1301 of this title, \$600,000,000 for fiscal year 2005,*
5 *\$600,000,000 for fiscal year 2006, \$600,000,000 for*
6 *fiscal year 2007, \$600,000,000 for fiscal year 2008,*
7 *and \$600,000,000 for fiscal year 2009.*

8 (11) *COORDINATED BORDER INFRASTRUCTURE*
9 *PROGRAM.—For the coordinated border infrastructure*
10 *program under section 1302 of this title,*
11 *\$200,000,000 for fiscal year 2005, \$200,000,000 for*
12 *fiscal year 2006, \$200,000,000 for fiscal year 2007,*
13 *\$200,000,000 for fiscal year 2008, and \$225,000,000*
14 *for fiscal year 2009.*

15 (12) *PROJECTS OF NATIONAL AND REGIONAL SIG-*
16 *NIFICANCE PROGRAM.—For the projects of national*
17 *and regional significance program under section 1304*
18 *of this title, \$1,100,000,000 for fiscal year 2005,*
19 *\$1,100,000,000 for fiscal year 2006, \$1,200,000,000*
20 *for fiscal year 2007, \$1,300,000,000 for fiscal year*
21 *2008, and \$1,300,000,000 for fiscal year 2009.*

22 (13) *CONSTRUCTION OF FERRY BOATS AND*
23 *FERRY TERMINAL FACILITIES.—For construction of*
24 *ferry boats and ferry terminal facilities under section*
25 *165 of title 23, United States Code, \$60,000,000 for*

1 *fiscal year 2004, \$70,000,000 for fiscal year 2005,*
2 *\$75,000,000 for fiscal year 2006, \$75,000,000 for fis-*
3 *cal year 2007, \$75,000,000 for fiscal year 2008, and*
4 *\$75,000,000 for fiscal year 2009.*

5 (14) *NATIONAL SCENIC BYWAYS PROGRAM.—For*
6 *the national scenic byways program under section*
7 *162 of title 23, United States Code, \$30,000,000 for*
8 *fiscal year 2004, \$40,000,000 for fiscal year 2005,*
9 *\$45,000,000 for fiscal year 2006, \$55,000,000 for fis-*
10 *cal year 2007, \$55,000,000 for fiscal year 2008, and*
11 *\$60,000,000 for fiscal year 2009.*

12 (15) *CONGESTION PRICING PILOT PROGRAM.—*
13 *For the congestion pricing pilot program under sec-*
14 *tion 1209 of this title, \$15,000,000 for fiscal year*
15 *2004, \$15,000,000 for fiscal year 2005, \$15,000,000*
16 *for fiscal year 2006, \$15,000,000 for fiscal year 2007,*
17 *\$15,000,000 for fiscal year 2008, and \$15,000,000 for*
18 *fiscal year 2009.*

19 (16) *DEPLOYMENT OF 511 TRAVELER INFORMA-*
20 *TION PROGRAM.—For the 511 traveler information*
21 *program under section 1204(c)(7) of this title,*
22 *\$6,000,000 for each of fiscal years 2005 through 2009.*

23 (17) *HIGH PRIORITY PROJECTS PROGRAM.—For*
24 *the high priority projects program under section 117*
25 *of title 23, United States Code, \$2,496,450,000 for fis-*

1 *cal year 2005, \$2,244,550,000 for fiscal year 2006,*
2 *\$2,143,250,000 for fiscal year 2007, \$2,192,450,000*
3 *for fiscal year 2008, and \$2,050,450,000 for fiscal*
4 *year 2009.*

5 (18) *FREIGHT INTERMODAL CONNECTOR PRO-*
6 *GRAM.—For the freight intermodal connector program*
7 *under section 1303 of this title, \$250,000,000 for fis-*
8 *cal year 2005, \$250,000,000 for fiscal year 2006,*
9 *\$250,000,000 for fiscal year 2007, \$250,000,000 for*
10 *fiscal year 2008, and \$250,000,000 for fiscal year*
11 *2009.*

12 (19) *HIGH RISK RURAL ROAD SAFETY IMPROVE-*
13 *MENT PROGRAM.—For the high risk rural road safety*
14 *improvement program under section 1403 of this title,*
15 *\$105,000,000 for fiscal year 2005, \$110,000,000 for*
16 *fiscal year 2006, \$120,000,000 for fiscal year 2007,*
17 *\$125,000,000 for fiscal year 2008, and \$130,000,000*
18 *for fiscal year 2009.*

19 (20) *HIGHWAY USE TAX EVASION PROGRAM.—*
20 *For highway use tax evasion projects under section*
21 *143 of title 23, United States Code, \$12,000,000 for*
22 *fiscal year 2004, \$30,000,000 for fiscal year 2005,*
23 *\$30,000,000 for fiscal year 2006, \$20,000,000 for fis-*
24 *cal year 2007, \$10,000,000 for fiscal year 2008, and*
25 *\$7,000,000 for fiscal year 2009.*

1 (21) *PEDESTRIAN AND CYCLIST EQUITY.—*

2 (A) *SAFE ROUTES TO SCHOOL PROGRAM.—*

3 *For the safe routes to school program under sec-*
4 *tion 1120(a) of this title, \$150,000,000 for fiscal*
5 *year 2005, \$175,000,000 for fiscal year 2006,*
6 *\$175,000,000 for fiscal year 2007, \$175,000,000*
7 *for fiscal year 2008, and \$200,000,000 for fiscal*
8 *year 2009.*

9 (B) *NONMOTORIZED PILOT PROGRAM.—For*
10 *the nonmotorized pilot program under section*
11 *1120(b) of this title, \$25,000,000 for each of fis-*
12 *cal years 2005 through 2009.*

13 (22) *DEDICATED TRUCK LANES.—For dedicated*
14 *truck lanes under section 1305 of this title,*
15 *\$165,000,000 for each of fiscal years 2005 through*
16 *2008 and \$170,000,000 for fiscal year 2009.*

17 (23) *HIGHWAYS FOR LIFE PROGRAM.—For the*
18 *Highways for LIFE program under section 1504 of*
19 *this title, \$55,000,000 for fiscal year 2005 and*
20 *\$60,000,000 for each of fiscal years 2006 through*
21 *2009.*

22 (24) *COMMONWEALTH OF PUERTO RICO HIGH-*
23 *WAY PROGRAM.—For the Commonwealth of Puerto*
24 *Rico highway program under section 1214(r) of the*
25 *Transportation Equity Act for the 21st Century (112*

1 *Stat. 209), \$115,000,000 for fiscal year 2004,*
2 *\$125,000,000 for fiscal year 2005, \$130,000,000 for*
3 *fiscal year 2006, \$130,000,000 for fiscal year 2007,*
4 *\$140,000,000 for fiscal year 2008, and \$140,000,000*
5 *for fiscal year 2009.*

6 ***(b) DISADVANTAGED BUSINESS ENTERPRISES.—***

7 ***(1) GENERAL RULE.—****Except to the extent that*
8 *the Secretary determines otherwise, not less than 10*
9 *percent of the amounts made available for any pro-*
10 *gram under titles I, III, and V of this Act and section*
11 *403 of title 23, United States Code, shall be expended*
12 *with small business concerns owned and controlled by*
13 *socially and economically disadvantaged individuals.*

14 ***(2) DEFINITIONS.—****In this subsection, the fol-*
15 *lowing definitions apply:*

16 ***(A) SMALL BUSINESS CONCERN.—****The term*
17 *“small business concern” has the meaning such*
18 *term has under section 3 of the Small Business*
19 *Act (15 U.S.C. 632); except that such term shall*
20 *not include any concern or group of concerns*
21 *controlled by the same socially and economically*
22 *disadvantaged individual or individuals which*
23 *has average annual gross receipts over the pre-*
24 *ceding 3 fiscal years in excess of \$17,420,000, as*
25 *adjusted by the Secretary for inflation.*

1 (B) *SOCIALLY AND ECONOMICALLY DIS-*
2 *ADVANTAGED INDIVIDUALS.*—*The term “socially*
3 *and economically disadvantaged individuals”*
4 *has the meaning such term has under section*
5 *8(d) of the Small Business Act (15 U.S.C.*
6 *637(d)) and relevant subcontracting regulations*
7 *promulgated pursuant thereto; except that*
8 *women shall be presumed to be socially and eco-*
9 *nomically disadvantaged individuals for pur-*
10 *poses of this subsection.*

11 (3) *ANNUAL LISTING OF DISADVANTAGED BUSI-*
12 *NESS ENTERPRISES.*—*Each State shall annually sur-*
13 *vey and compile a list of the small business concerns*
14 *referred to in paragraph (1) and the location of such*
15 *concerns in the State and notify the Secretary, in*
16 *writing, of the percentage of such concerns which are*
17 *controlled by women, by socially and economically*
18 *disadvantaged individuals (other than women), and*
19 *by individuals who are women and are otherwise so-*
20 *cially and economically disadvantaged individuals.*

21 (4) *UNIFORM CERTIFICATION.*—*The Secretary*
22 *shall establish minimum uniform criteria for State*
23 *governments to use in certifying whether a concern*
24 *qualifies for purposes of this subsection. Such min-*
25 *imum uniform criteria shall include, but not be lim-*

1 *ited to, on-site visits, personal interviews, licenses,*
2 *analysis of stock ownership, listing of equipment,*
3 *analysis of bonding capacity, listing of work com-*
4 *pleted, resume of principal owners, financial capac-*
5 *ity, and type of work preferred.*

6 (5) *COMPLIANCE WITH COURT ORDERS.—Nothing*
7 *in this subsection limits the eligibility of an enti-*
8 *ty or person to receive funds made available under ti-*
9 *ties I, III, and V of this Act and section 403 of title*
10 *23, United States Code, if the entity or person is pre-*
11 *vented, in whole or in part, from complying with*
12 *paragraph (1) because a Federal court issues a final*
13 *order in which the court finds that the requirement*
14 *of paragraph (1), or the program established under*
15 *paragraph (1), is unconstitutional.*

16 **SEC. 1102. OBLIGATION CEILING.**

17 (a) *GENERAL LIMITATION.—Notwithstanding any*
18 *other provision of law but subject to subsections (g) and*
19 *(h), the obligations for Federal-aid highway and highway*
20 *safety construction programs shall not exceed—*

21 (1) *\$33,643,000,000 for fiscal year 2004;*

22 (2) *\$34,412,000,000 for fiscal year 2005;*

23 (3) *\$36,287,100,000 for fiscal year 2006;*

24 (4) *\$37,616,700,000 for fiscal year 2007;*

25 (5) *\$38,876,400,000 for fiscal year 2008; and*

1 (6) \$40,231,500,000 for fiscal year 2009.

2 (b) *EXCEPTIONS.*—*The limitations under subsection*

3 (a) *shall not apply to obligations—*

4 (1) *under section 125 of title 23, United States*
5 *Code;*

6 (2) *under section 147 of the Surface Transpor-*
7 *tation Assistance Act of 1978;*

8 (3) *under section 9 of the Federal-Aid Highway*
9 *Act of 1981;*

10 (4) *under sections 131(b) and 131(j) of the Sur-*
11 *face Transportation Assistance Act of 1982;*

12 (5) *under sections 149(b) and 149(c) of the Sur-*
13 *face Transportation and Uniform Relocation Assist-*
14 *ance Act of 1987;*

15 (6) *under sections 1103 through 1108 of the*
16 *Intermodal Surface Transportation Efficiency Act of*
17 *1991;*

18 (7) *under section 157 of title 23, United States*
19 *Code, as in effect on June 8, 1998;*

20 (8) *under section 105 of title 23, United States*
21 *Code (but, for each of fiscal years 1998 through 2013),*
22 *only in an amount equal to \$639,000,000 per fiscal*
23 *year; and*

24 (9) *for Federal-aid highway programs for which*
25 *obligation authority was made available under the*

1 *Transportation Equity Act for the 21st Century or*
2 *subsequent public laws for multiple years or to re-*
3 *main available until used, but only to the extent that*
4 *such obligation authority has not lapsed or been used.*

5 *(c) DISTRIBUTION OF OBLIGATION AUTHORITY.—For*
6 *each of fiscal years 2004 through 2009, the Secretary*
7 *shall—*

8 *(1) not distribute obligation authority provided*
9 *by subsection (a) for such fiscal year for amounts au-*
10 *thorized for administrative expenses and amounts au-*
11 *thorized for the highway use tax evasion program and*
12 *the Bureau of Transportation Statistics;*

13 *(2) not distribute an amount of obligation au-*
14 *thority provided by subsection (a) that is equal to the*
15 *unobligated balance of amounts made available from*
16 *the Highway Trust Fund (other than the Mass Tran-*
17 *sit Account) for Federal-aid highway and highway*
18 *safety programs for previous fiscal years the funds for*
19 *which are allocated by the Secretary;*

20 *(3) determine the ratio that—*

21 *(A) the obligation authority provided by*
22 *subsection (a) for such fiscal year less the aggre-*
23 *gate of amounts not distributed under para-*
24 *graphs (1) and (2), bears to*

1 (B) the total of the sums authorized to be
2 appropriated for Federal-aid highway and high-
3 way safety construction programs (other than
4 sums authorized to be appropriated for sections
5 set forth in paragraphs (1) through (7) of sub-
6 section (b) and sums authorized to be appro-
7 priated for section 105 of title 23, United States
8 Code, equal to the amount referred to in sub-
9 section (b)(8)) for such fiscal year less the aggre-
10 gate of the amounts not distributed under para-
11 graph (1) of this subsection;

12 (4) distribute the obligation authority provided
13 by subsection (a) less the aggregate amounts not dis-
14 tributed under paragraphs (1) and (2) for section 117
15 of title 23, United States Code (relating to high pri-
16 ority projects program), section 14501 of title 40,
17 United States Code (relating to Appalachian develop-
18 ment highway system), and \$2,000,000,000 for such
19 fiscal year under section 105 of title 23, United States
20 Code (relating to minimum guarantee) so that
21 amount of obligation authority available for each of
22 such sections is equal to the amount determined by
23 multiplying the ratio determined under paragraph
24 (3) by the sums authorized to be appropriated for

1 *such section (except in the case of section 105,*
2 *\$2,000,000,000) for such fiscal year;*

3 *(5) distribute the obligation authority provided*
4 *by subsection (a) less the aggregate amounts not dis-*
5 *tributed under paragraphs (1) and (2) and amounts*
6 *distributed under paragraph (4) for each of the pro-*
7 *grams that are allocated by the Secretary under this*
8 *Act and title 23, United States Code (other than ac-*
9 *tivities to which paragraph (1) applies and programs*
10 *to which paragraph (4) applies) by multiplying the*
11 *ratio determined under paragraph (3) by the sums*
12 *authorized to be appropriated for such program for*
13 *such fiscal year; and*

14 *(6) distribute the obligation authority provided*
15 *by subsection (a) less the aggregate amounts not dis-*
16 *tributed under paragraphs (1) and (2) and amounts*
17 *distributed under paragraphs (4) and (5) for Federal-*
18 *aid highway and highway safety construction pro-*
19 *grams (other than the minimum guarantee program,*
20 *but only to the extent that amounts apportioned for*
21 *the minimum guarantee program for such fiscal year*
22 *exceed \$2,639,000,000, and the Appalachian develop-*
23 *ment highway system program) that are apportioned*
24 *by the Secretary under this Act and title 23, United*
25 *States Code, in the ratio that—*

1 (A) sums authorized to be appropriated for
2 such programs that are apportioned to each
3 State for such fiscal year, bear to

4 (B) the total of the sums authorized to be
5 appropriated for such programs that are appor-
6 tioned to all States for such fiscal year.

7 (d) *REDISTRIBUTION OF UNUSED OBLIGATION AU-*
8 *THORITY.*—Notwithstanding subsection (c), the Secretary
9 shall after August 1 of each of fiscal years 2004 through
10 2009 revise a distribution of the obligation authority made
11 available under subsection (c) if an amount made available
12 under this section will not be obligated during the fiscal
13 year and redistribute sufficient amounts to those States able
14 to obligate amounts in addition to those previously distrib-
15 uted during that fiscal year. In making the redistribution,
16 the Secretary shall give priority to those States having large
17 unobligated balances of funds apportioned under sections
18 104 and 144 of title 23, United States Code.

19 (e) *APPLICABILITY OF OBLIGATION LIMITATIONS TO*
20 *TRANSPORTATION RESEARCH PROGRAMS.*—Obligation lim-
21 itations imposed by subsection (a) shall apply to transpor-
22 tation research programs carried out under chapter 5 of
23 title 23, United States Code, and under title V of this Act;
24 except that obligation authority made available for such

1 *programs under such limitations shall remain available for*
2 *a period of 3 fiscal years.*

3 (f) *REDISTRIBUTION OF CERTAIN AUTHORIZED*
4 *FUNDS.—Not later than 30 days after the date of the dis-*
5 *tribution of obligation authority under subsection (c) for*
6 *each of fiscal years 2004 through 2009, the Secretary shall*
7 *distribute to the States any funds (1) that are authorized*
8 *to be appropriated for such fiscal year for Federal-aid high-*
9 *way programs, and (2) that the Secretary determines will*
10 *not be allocated to the States, and will not be available for*
11 *obligation, in such fiscal year due to the imposition of any*
12 *obligation limitation for such fiscal year. Such distribution*
13 *to the States shall be made in the same ratio as the distribu-*
14 *tion of obligation authority under subsection (c)(6). The*
15 *funds so distributed shall be available for any purposes de-*
16 *scribed in section 133(b) of title 23, United States Code.*

17 (g) *SPECIAL RULE.—Obligation authority distributed*
18 *for a fiscal year under subsection (c)(4) for a section set*
19 *forth in subsection (c)(4) shall remain available until used*
20 *for obligation of funds for such section and shall be in addi-*
21 *tion to the amount of any limitation imposed on obligations*
22 *for Federal-aid highway and highway safety construction*
23 *programs for future fiscal years.*

24 (h) *INCREASE IN OBLIGATION LIMIT.—Limitations on*
25 *obligations imposed by subsection (a) for a fiscal year shall*

1 *be increased by an amount equal to the amount determined*
 2 *pursuant to section 251(b)(1)(B)(ii)(I)(cc) of the Balanced*
 3 *Budget and Emergency Deficit Control Act of 1985 (2*
 4 *U.S.C. 901(b)(2)(B)(ii)(I)(cc)) for such fiscal year. Any*
 5 *such increase shall be distributed in accordance with this*
 6 *section.*

7 (i) *LIMITATIONS ON OBLIGATIONS FOR ADMINISTRA-*
 8 *TIVE EXPENSES.*—*Notwithstanding any other provision of*
 9 *law, the total amount of all obligations under section 104(a)*
 10 *of title 23, United States Code, shall not exceed—*

- 11 (1) *\$390,000,000 for fiscal year 2004;*
 12 (2) *\$395,000,000 for fiscal year 2005;*
 13 (3) *\$395,000,000 for fiscal year 2006;*
 14 (4) *\$395,000,000 for fiscal year 2007;*
 15 (5) *\$395,000,000 for fiscal year 2008; and*
 16 (6) *\$400,000,000 for fiscal year 2009.*

17 **SEC. 1103. APPORTIONMENTS.**

18 (a) *ADMINISTRATIVE EXPENSES.*—*Section 104(a) of*
 19 *title 23, United States Code, is amended—*

20 (1) *by striking paragraphs (1) and (2) and in-*
 21 *serting the following:*

22 “(1) *IN GENERAL.*—*There are authorized to be*
 23 *appropriated from the Highway Trust Fund (other*
 24 *than the Mass Transit Account) for purposes de-*
 25 *scribed in paragraph (2) \$390,000,000 for fiscal year*

1 2004, \$395,000,000 for fiscal year 2005, \$395,000,000
2 for fiscal year 2006, \$395,000,000 for fiscal year
3 2007, \$395,000,000 for fiscal year 2008, and
4 \$400,000,000 for fiscal year 2009.

5 “(2) *USE OF FUNDS.*—*The amounts authorized*
6 *to be appropriated by paragraph (1) are authorized*
7 *for the following purposes:*

8 “(A) *To administer the provisions of law to*
9 *be financed from appropriations for the Federal-*
10 *aid highway program and programs authorized*
11 *under chapter 2.*

12 “(B) *To make transfers of such sums as the*
13 *Secretary determines to be appropriate to the*
14 *Appalachian Regional Commission for adminis-*
15 *trative activities associated with the Appa-*
16 *lachian development highway system.”;*

17 (2) *in paragraph (3) by striking “sum deducted*
18 *under” and inserting “amounts authorized to be ap-*
19 *propriated by”;* and

20 (3) *in paragraph (4)—*

21 (A) *by striking “sums deducted under” and*
22 *inserting “amounts authorized to be appro-*
23 *priated by”;* and

24 (B) *by striking “and the Federal Motor*
25 *Carrier Safety Administration”.*

1 (b) *NATIONAL HIGHWAY SYSTEM*.—Section 104(b) of
2 such title is amended—

3 (1) by striking “the deduction authorized by sub-
4 section (a) and”; and

5 (2) in paragraph (1)(A)—

6 (A) by striking “\$36,400,000 for each fiscal
7 year” and inserting “\$40,000,000 for fiscal year
8 2004, \$40,000,000 for fiscal year 2005,
9 \$40,000,000 for fiscal year 2006, \$50,000,000 for
10 fiscal year 2007, \$50,000,000 for fiscal year
11 2008, and \$50,000,000 for fiscal year 2009”; and

12 (B) by striking “\$18,800,000 for each of fis-
13 cal years 1998 through 2002” and inserting
14 “\$20,000,000 for fiscal year 2004 and
15 \$30,000,000 for each of fiscal years 2005 through
16 2009”.

17 (c) *REPORT*.—Section 104(j) of title 23, United States
18 Code, is amended by striking “submit to Congress a report”
19 and inserting “transmit to Congress a report, and also
20 make such report available to the public in a user-friendly
21 format via the Internet,”.

22 (d) *CONFORMING AMENDMENTS*.—Section 104 of such
23 title is amended—

24 (1) in subsection (f)(1)—

1 (A) by striking “, after making the deduc-
2 tion authorized by subsection (a) of this sec-
3 tion,”; and

4 (B) by striking “remaining”; and
5 (2) in subsection (i) by striking “deducted” and
6 inserting “authorized to be appropriated”.

7 (e) *PUERTO RICO HIGHWAY PROGRAM.*—Section
8 1214(r) of the Transportation Equity Act for the 21st Cen-
9 tury (112 Stat. 209; 117 Stat. 1114; 118 Stat. 1149) is
10 amended—

11 (1) in paragraph (1) by striking “1101(a)(15)
12 for each of fiscal years 1998 through 2005” and in-
13 serting “1101(a)(24) for each of fiscal years 2004
14 through 2009 of the Transportation Equity Act: A
15 Legacy for Users”; and

16 (2) in paragraph (2) by striking “1101(a)(15) of
17 this Act” and inserting “1101(a)(24) of the Transpor-
18 tation Equity Act: A Legacy for Users”.

19 **SEC. 1104. MINIMUM GUARANTEE.**

20 *To be supplied.*

21 **SEC. 1105. PROJECT APPROVAL AND OVERSIGHT.**

22 Section 106 of title 23, United States Code, is amended
23 by striking subsection (h) and inserting the following:

24 “(h) *OVERSIGHT PROGRAM.*—

1 “(1) *IN GENERAL.*—*The Secretary shall establish*
2 *an oversight program to monitor the effective and effi-*
3 *cient use of funds authorized to carry out this title.*
4 *At a minimum, the program shall be responsive to all*
5 *areas related to financial integrity and project deliv-*
6 *ery.*

7 “(2) *FINANCIAL INTEGRITY.*—

8 “(A) *FINANCIAL MANAGEMENT SYSTEMS.*—
9 *The Secretary shall perform annual reviews that*
10 *address elements of the State transportation de-*
11 *partments’ financial management systems that*
12 *affect projects approved under subsection (a).*

13 “(B) *PROJECT COSTS.*—*The Secretary shall*
14 *develop minimum standards for estimating*
15 *project costs and shall periodically evaluate the*
16 *States’ practices for estimating project costs,*
17 *awarding contracts, and reducing project costs.*

18 “(C) *RESPONSIBILITY OF THE STATES.*—
19 *The States are responsible for determining that*
20 *subrecipients of Federal funds under this title*
21 *have sufficient accounting controls to properly*
22 *manage such Federal funds. The Secretary shall*
23 *periodically review the States’ monitoring of sub-*
24 *recipients.*

1 “(3) *PROJECT DELIVERY.*—*The Secretary shall*
2 *perform annual reviews that address elements of a*
3 *State’s project delivery system, which includes one or*
4 *more activities that are involved in the life cycle of*
5 *a project from its conception to its completion.*

6 “(4) *RESPONSIBILITY OF THE STATES.*—*The*
7 *States are responsible for determining that subrecipi-*
8 *ents of Federal funds under this title have adequate*
9 *project delivery systems for projects approved under*
10 *this section. The Secretary shall periodically review*
11 *the States’ monitoring of subrecipients.*

12 “(5) *SPECIFIC OVERSIGHT RESPONSIBILITIES.*—
13 *Nothing in this section shall affect or discharge any*
14 *oversight responsibility of the Secretary specifically*
15 *provided for under this title or other Federal law. In*
16 *addition, the Secretary shall retain full oversight re-*
17 *sponsibilities for the design and construction of all*
18 *Appalachian development highways under section*
19 *14501 of title 40.*

20 “(i) *MAJOR PROJECTS.*—

21 “(1) *IN GENERAL.*—*Notwithstanding any other*
22 *provision in this section, a recipient of Federal finan-*
23 *cial assistance for a project under this title with an*
24 *estimated total cost of \$500,000,000 or more, or any*
25 *other project in the discretion of the Secretary, shall*

1 *submit to the Secretary a project management plan*
2 *and an annual financial plan.*

3 *“(2) PROJECT MANAGEMENT PLAN.—The project*
4 *management plan shall document the procedures and*
5 *processes in place to provide timely information to*
6 *the project decision makers to manage effectively the*
7 *scope, costs, schedules, and quality, and the Federal*
8 *requirements of the project and the role of the agency*
9 *leadership and management team in the delivery of*
10 *the project.*

11 *“(3) FINANCIAL PLAN.—The financial plan shall*
12 *be based on detailed estimates of the cost to complete*
13 *the project. Annual updates shall be submitted based*
14 *on reasonable assumptions, as determined by the Sec-*
15 *retary, of future increases in the cost to complete the*
16 *project.*

17 *“(j) OTHER PROJECTS.—A recipient of Federal finan-*
18 *cial assistance for a project under this title with an esti-*
19 *mated total cost of \$100,000,000 or more that is not covered*
20 *by subsection (h) shall prepare an annual financial plan.*
21 *Annual financial plans prepared under this subsection shall*
22 *be made available to the Secretary for review upon the Sec-*
23 *retary’s request.”.*

1 **SEC. 1106. USE OF EXCESS FUNDS.**

2 *Section 106 of title 23, United States Code, is further*
3 *amended by adding at the end the following:*

4 *“(k) USE OF EXCESS FUNDS.—*

5 *“(1) AUDITS.—A State may audit projects fund-*
6 *ed with amounts apportioned under sections 104 and*
7 *144 to determine whether any amounts obligated for*
8 *a project are excess funds.*

9 *“(2) PLANS FOR USE OF EXCESS FUNDS.—If a*
10 *State determines, after conducting an audit under*
11 *paragraph (1), that funds obligated for a project are*
12 *excess funds, the State may develop a plan for obli-*
13 *gating the funds for the design and construction of—*

14 *“(A) with respect to excess funds derived*
15 *from the surface transportation program under*
16 *section 133(d)(1), 133(d) (2), or 133(d)(3), the*
17 *highway bridge replacement and rehabilitation*
18 *program under section 144, the congestion miti-*
19 *gation and air quality improvement program*
20 *under section 149, or the recreational trails pro-*
21 *gram under section 206, one or more projects*
22 *that are eligible for funding under that program;*
23 *and*

24 *“(B) with respect to excess funds derived*
25 *from any other program under this title, one or*
26 *more projects that are eligible for funding those*

1 *programs or the surface transportation program*
2 *under section 133.*

3 “(3) *CERTIFICATION TO THE SECRETARY.—A*
4 *State that has developed a plan under paragraph (2)*
5 *shall transmit to the Secretary a certification that the*
6 *State has conducted an audit under paragraph (1)*
7 *and developed the plan in accordance with paragraph*
8 *(2).*

9 “(4) *IMPLEMENTATION OF PLANS.—After trans-*
10 *mitting a certification to the Secretary with respect*
11 *to a plan under paragraph (3), the State may carry*
12 *out the plan.*

13 “(5) *APPLICABILITY OF REQUIREMENTS.—*

14 “(A) *IN GENERAL.—Except as provided by*
15 *subparagraph (B), excess funds used to carry out*
16 *a project under this section shall be subject to the*
17 *requirements of this title that are applicable to*
18 *the program under which the project is carried*
19 *out.*

20 “(B) *STP ALLOCATIONS.—Section 133(d)*
21 *shall not apply to excess funds used to carry out*
22 *a project under this section, unless such funds*
23 *are derived from amounts apportioned under*
24 *104(b)(3).*

1 “(6) *EXCESS FUNDS DEFINED.*—*In this sub-*
2 *section, the term ‘excess funds’ means funds obligated*
3 *for a project that remain available for the project*
4 *after the project has been completed or canceled.”.*

5 **SEC. 1107. TEMPORARY TRAFFIC CONTROL DEVICES.**

6 (a) *STANDARDS.*—*Section 109(e) of title 23, United*
7 *States Code, is amended—*

8 (1) *by striking “(e) No funds” and inserting the*
9 *following:*

10 “(e) *INSTALLATION OF SAFETY DEVICES.*—

11 “(1) *HIGHWAY AND RAILROAD GRADE CROSSINGS*
12 *AND DRAWBRIDGES.*—*No funds”;* and

13 (2) *by adding at the end the following:*

14 “(2) *TEMPORARY TRAFFIC CONTROL DEVICES.*—
15 *No funds shall be approved for expenditure on any*
16 *Federal-aid highway, or highway affected under chap-*
17 *ter 2 of this title, unless proper temporary traffic con-*
18 *trol devices to improve safety in work zones will be*
19 *installed and maintained during construction, utility,*
20 *and maintenance operations on that portion of the*
21 *highway with respect to which such expenditures are*
22 *to be made. Installation and maintenance of the de-*
23 *vices shall be in accordance with the Manual on Uni-*
24 *form Traffic Control Devices.”.*

1 (b) *LETTING OF CONTRACTS.*—*Section 112 of such title*
2 *is amended—*

3 (1) *by striking subsection (f);*

4 (2) *by redesignating subsection (g) as subsection*
5 *(f); and*

6 (3) *by adding at the end the following:*

7 “(g) *TEMPORARY TRAFFIC CONTROL DEVICES.*—

8 “(1) *ISSUANCE OF REGULATIONS.*—*The Sec-*
9 *retary, after consultation with appropriate Federal*
10 *and State officials, shall issue regulations establishing*
11 *the conditions for the appropriate use of, and expend-*
12 *iture of funds for, uniformed law enforcement officers,*
13 *positive protective measures between workers and mo-*
14 *torized traffic, and installation and maintenance of*
15 *temporary traffic control devices during construction,*
16 *utility, and maintenance operations.*

17 “(2) *EFFECTS OF REGULATIONS.*—*Based on reg-*
18 *ulations issued under paragraph (1), a State shall—*

19 “(A) *develop separate pay items for the use*
20 *of uniformed law enforcement officers, positive*
21 *protective measures between workers and motor-*
22 *ized traffic, and installation and maintenance of*
23 *temporary traffic control devices during con-*
24 *struction, utility, and maintenance operations;*
25 *and*

1 “(B) incorporate such pay items into con-
 2 tract provisions to be included in each contract
 3 entered into by the State with respect to a high-
 4 way project to ensure compliance with section
 5 109(e)(2).

6 “(3) *LIMITATION.*—Nothing in the regulations
 7 shall be construed to prohibit a State from imple-
 8 menting standards that are more stringent than those
 9 required under the regulations.

10 “(4) *POSITIVE PROTECTIVE MEASURES DE-*
 11 *FINED.*—In this subsection, the term ‘positive protec-
 12 tive measures’ means temporary traffic barriers, crash
 13 cushions, and other strategies to avoid traffic acci-
 14 dents in work zones, including full road closures.”.

15 **SEC. 1108. REVENUE ALIGNED BUDGET AUTHORITY.**

16 (a) *ALLOCATION.*—Section 110(a)(1) of title 23,
 17 *United States Code, is amended—*

18 (1) *by striking “2000” and inserting “2006”;*

19 (2) *by inserting after “such fiscal year” the fol-*
 20 *lowing: “and the succeeding fiscal year”.*

21 (b) *REDUCTION.*—Section 110(a)(2) of such title is
 22 *amended—*

23 (1) *by striking “2000” and inserting “2006”;*

24 (2) *by striking “October 1 of the succeeding” and*
 25 *inserting “October 15 of such”; and*

1 (3) *by inserting after “Account)” the following:*
2 *“for such fiscal year and the succeeding fiscal year”.*

3 (c) *GENERAL DISTRIBUTION.—Section 110(b)(1)(A) of*
4 *such title is amended by striking “Transportation Equity*
5 *Act for the 21st Century” and inserting “Transportation*
6 *Equity Act: A Legacy for Users”.*

7 (d) *TECHNICAL AMENDMENT.—Section 110(b)(1)(A) of*
8 *title 23, United States Code, is amended by striking “for”*
9 *the second place it appears.*

10 **SEC. 1109. EMERGENCY RELIEF.**

11 *There is authorized to be appropriated for a fiscal year*
12 *such sums as may be necessary for allocations by the Sec-*
13 *retary described in subsections (a) and (b) of sections 125*
14 *of title 23, United States Code, if the total of those alloca-*
15 *tions in such fiscal year are in excess of \$100,000,000.*

16 **SEC. 1110. SURFACE TRANSPORTATION PROGRAM.**

17 *Section 133(f)(1) of title 23, United States Code, is*
18 *amended—*

19 (1) *by striking “1998 through 2000” and insert-*
20 *ing “2004 through 2006”; and*

21 (2) *by striking “2001 through 2003” and insert-*
22 *ing “2007 through 2009”.*

23 **SEC. 1111. HIGHWAY USE TAX EVASION PROJECTS.**

24 (a) *ELIGIBLE ACTIVITIES.—*

1 (1) *INTERGOVERNMENTAL ENFORCEMENT EF-*
2 *FORTS.*—Section 143(b)(2) of title 23, United States
3 *Code, is amended by inserting before the period the*
4 *following: “; except that of funds so made available*
5 *for each of fiscal years 2004 through 2009, \$2,000,000*
6 *shall be available only to carry out intergovernmental*
7 *enforcement efforts, including research and training”.*

8 (2) *CONDITIONS ON FUNDS ALLOCATED TO IN-*
9 *TERNAL REVENUE SERVICE.*—Section 143(b)(3) of
10 *such title is amended by striking “The” and inserting*
11 *“Except as otherwise provided in this section, the”.*

12 (3) *LIMITATION ON USE OF FUNDS.*—Section
13 *143(b)(4) of such title is amended—*

14 (A) *by striking “and” at the end of sub-*
15 *paragraph (F);*

16 (B) *by striking the period at the end of sub-*
17 *paragraph (G) and inserting a semicolon; and*

18 (C) *by adding at the end the following:*

19 *“(H) to support efforts between States and*
20 *Indian tribes to address issues related to State*
21 *motor fuel taxes; and*

22 *“(I) to analyze and implement programs to*
23 *reduce tax evasion associated with foreign im-*
24 *ported fuel.”.*

1 (4) *REPORTS.*—Section 143(b) of such title is
2 amended by adding at the end the following:

3 “(9) *REPORTS.*—The Commissioner of the Inter-
4 nal Revenue Service and each State shall submit to
5 the Secretary an annual report that describes the
6 projects, examinations, and criminal investigations
7 funded by and carried out under this section. Such
8 report shall specify the annual yield estimated for
9 each project funded under this section.”.

10 (b) *EXCISE FUEL REPORTING SYSTEM.*—

11 (1) *IN GENERAL.*—Section 143(c)(1) of such title
12 is amended—

13 (A) by striking “August 1, 1998,” and in-
14 serting “90 days after the date of enactment of
15 the *Transportation Equity Act: A Legacy for*
16 *Users*,”;

17 (B) by striking “development” and insert-
18 ing “completion, operation,”; and

19 (C) by striking “an excise fuel reporting
20 system (in this subsection referred to as ‘the sys-
21 tem’)” and inserting “an excise summary ter-
22 minal activity reporting system”.

23 (2) *ELEMENTS OF MEMORANDUM OF UNDER-*
24 *STANDING.*—Section 143(c)(2) of such title is amend-
25 ed—

1 (A) by striking “the system” the first place
2 it appears and inserting “the excise summary
3 terminal activity reporting system”;

4 (B) in subparagraph (A) by striking “de-
5 velop” and inserting “complete”;

6 (C) by striking “and” at the end of sub-
7 paragraph (B);

8 (D) by striking the period at the end of sub-
9 paragraph (C) and inserting “; and”; and

10 (E) by adding at the end the following:

11 “(D) the Commissioner of the Internal Rev-
12 enue Service shall submit and the Secretary shall
13 approve a budget and project plan for the com-
14 pletion, operation, and maintenance of the sys-
15 tem.”; and

16 (3) *FUNDING PRIORITY*.—Section 143(c)(3) of
17 such title is amended to read as follows:

18 “(3) *FUNDING*.—Of the amounts made available
19 to carry out this section for each of fiscal years 2004
20 through 2009, the Secretary shall make available to
21 the Internal Revenue Service such funds as may be
22 necessary to complete, operate, and maintain the ex-
23 cise summary terminal activity reporting system in
24 accordance with this subsection.”.

1 (c) *REGISTRATION SYSTEM AND ELECTRONIC DATA-*
2 *BASE.—Section 143 of such title is further amended by add-*
3 *ing at the end the following:*

4 “(d) *PIPELINE, VESSEL, AND BARGE REGISTRATION*
5 *SYSTEM.—*

6 “(1) *IN GENERAL.—Not later than 90 days after*
7 *the date of enactment of this subsection, the Secretary*
8 *shall enter into a memorandum of understanding*
9 *with the Commissioner of the Internal Revenue Serv-*
10 *ice for the purposes of the development, operation,*
11 *and maintenance of a registration system for pipe-*
12 *lines, vessels, and barges, and operators of such pipe-*
13 *lines, vessels, and barges, that make bulk transfers of*
14 *taxable fuel.*

15 “(2) *ELEMENTS OF MEMORANDUM OF UNDER-*
16 *STANDING.—The memorandum of understanding shall*
17 *provide that—*

18 “(A) *the Internal Revenue Service shall de-*
19 *velop and maintain the registration system*
20 *through contracts;*

21 “(B) *the Commissioner of the Internal Rev-*
22 *enue Service shall submit and the Secretary shall*
23 *approve a budget and project plan for develop-*
24 *ment, operation, and maintenance of the reg-*
25 *istration system;*

1 “(C) *the registration system shall be under*
2 *the control of the Internal Revenue Service; and*

3 “(D) *the registration system shall be made*
4 *available for use by appropriate State and Fed-*
5 *eral revenue, tax, and law enforcement authori-*
6 *ties, subject to section 6103 of the Internal Rev-*
7 *enue Code of 1986.*

8 “(3) *FUNDING.—Of the amounts made available*
9 *to carry out this section for each of fiscal years 2004*
10 *through 2009, the Secretary shall make available to*
11 *the Internal Revenue Service such funds as may be*
12 *necessary to complete, operate, and maintain a reg-*
13 *istration system for pipelines, vessels, and barges, and*
14 *operators of such pipelines, vessels, and barges, that*
15 *make bulk transfers of taxable fuel in accordance with*
16 *this subsection.*

17 “(e) *HEAVY VEHICLE USE TAX PAYMENT DATA-*
18 *BASE.—*

19 “(1) *IN GENERAL.—Not later than 90 days after*
20 *the date of enactment of this subsection, the Secretary*
21 *shall enter into a memorandum of understanding*
22 *with the Commissioner of the Internal Revenue Serv-*
23 *ice for the purposes of the establishment, operation,*
24 *and maintenance of an electronic database of heavy*
25 *vehicle highway use tax payments.*

1 “(2) *ELEMENTS OF MEMORANDUM OF UNDER-*
2 *STANDING.—The memorandum of understanding shall*
3 *provide that—*

4 “(A) *the Internal Revenue Service shall es-*
5 *tablish and maintain the electronic database*
6 *through contracts;*

7 “(B) *the Commissioner of the Internal Rev-*
8 *enue Service shall submit and the Secretary shall*
9 *approve a budget and project plan for establish-*
10 *ment, operation, and maintenance of the elec-*
11 *tronic database;*

12 “(C) *the electronic database shall be under*
13 *the control of the Internal Revenue Service; and*

14 “(D) *the electronic database shall be made*
15 *available for use by appropriate State and Fed-*
16 *eral revenue, tax, and law enforcement authori-*
17 *ties, subject to section 6103 of the Internal Rev-*
18 *enue Code of 1986.*

19 “(3) *FUNDING.—Of the amounts made available*
20 *to carry out this section for each of fiscal years 2004*
21 *through 2009, the Secretary shall make available to*
22 *the Internal Revenue Service such funds as may be*
23 *necessary to establish, operate, and maintain an elec-*
24 *tronic database of heavy vehicle highway use tax pay-*
25 *ments in accordance with this subsection.*

1 “(f) *REPORTS.*—Not later than March 31 and Sep-
2 *tember 30 of each year, the Commissioner of the Internal*
3 *Revenue Service shall provide reports to the Secretary on*
4 *the status of the Internal Revenue Service projects funded*
5 *under this section related to the excise summary terminal*
6 *activity reporting system, the pipeline, vessel, and barge*
7 *registration system, and the heavy vehicle use tax electronic*
8 *database.”.*

9 **SEC. 1112. APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM.**

10 (a) *APPORTIONMENT.*—The Secretary shall apportion
11 *funds made available by section 1101(a)(7) of this Act for*
12 *fiscal years 2004 through 2009 among the States based on*
13 *the latest available cost to complete estimate for the Appa-*
14 *lachian development highway system under section 14501*
15 *title 40, United States Code.*

16 (b) *APPLICABILITY OF TITLE 23.*—Funds made avail-
17 *able by section 1101(a)(7) of this Act for the Appalachian*
18 *development highway system shall be available for obliga-*
19 *tion in the same manner as if such funds were apportioned*
20 *under chapter 1 of title 23, United States Code; except that*
21 *the Federal share of the cost of any project under this sec-*
22 *tion shall be determined in accordance with such section*
23 *14501 of title 40, United States Code, and such funds shall*
24 *be available to construct highways and access roads under*
25 *such section and shall remain available until expended.*

1 (c) *USE OF TOLL CREDITS.*—Section 120(j)(1) of title
 2 23, United States Code is amended by inserting “and the
 3 Appalachian development highway system program under
 4 section 14501 of title 40” after “section 125”.

5 **SEC. 1113. CONSTRUCTION OF FERRY BOATS AND FERRY**
 6 **TERMINAL FACILITIES.**

7 (a) *IN GENERAL.*—Subchapter I of chapter 1 of title
 8 23, United States Code, is amended by adding at the end
 9 the following:

10 **“§ 165. Construction of ferry boats and ferry terminal**
 11 **facilities**

12 “(a) *IN GENERAL.*—The Secretary shall carry out a
 13 program for construction of ferry boats and ferry terminal
 14 facilities in accordance with section 129(c).

15 “(b) *FEDERAL SHARE.*—The Federal share payable for
 16 construction of ferry boats and ferry terminal facilities
 17 under this section shall be 80 percent of the cost thereof.

18 “(c) *AVAILABILITY OF AMOUNTS.*—Amounts made
 19 available to carry out this section shall remain available
 20 until expended.

21 “(d) *SET-ASIDE FOR PROJECTS ON NHS.*—

22 “(1) *IN GENERAL.*—\$20,000,000 of the amount
 23 made available to carry out this section for each of
 24 fiscal years 2004 through 2009 shall be obligated for
 25 the construction or refurbishment of ferry boats and

1 *ferry terminal facilities and approaches to such facili-*
2 *ties within marine highway systems that are part of*
3 *the National Highway System.*

4 “(2) *ALASKA.*—\$10,000,000 of the \$20,000,000
5 *for a fiscal year made available under paragraph (1)*
6 *shall be made available to the State of Alaska.*

7 “(3) *NEW JERSEY.*—\$5,000,000 of the
8 \$20,000,000 for a fiscal year made available under
9 *paragraph (1) shall be made available to the State of*
10 *New Jersey.*

11 “(4) *WASHINGTON.*—\$5,000,000 of the
12 \$20,000,000 for a fiscal year made available under
13 *paragraph (1) shall be made available to the State of*
14 *Washington.*

15 “(e) *APPLICABILITY.*—All provisions of this chapter
16 *that are applicable to the National Highway System, other*
17 *than provisions relating to apportionment formula and*
18 *Federal share, shall apply to funds made available to carry*
19 *out this section, except as determined by the Secretary to*
20 *be inconsistent with this section.”.*

21 “(b) *CONFORMING AMENDMENT.*—The analysis for sub-
22 *chapter I of chapter 1 of such title is amended by adding*
23 *at the end the following:*

 “165. *Construction of ferry boats and ferry terminal facilities.*”.

24 “(c) *NATIONAL FERRY DATABASE.*—

1 (1) *ESTABLISHMENT.*—*The Secretary, acting*
2 *through the Bureau of Transportation Statistics, shall*
3 *establish and maintain a national ferry database.*

4 (2) *CONTENTS.*—*The database shall contain cur-*
5 *rent information regarding ferry systems, including*
6 *information regarding routes, vessels, passengers and*
7 *vehicles carried, funding sources and such other infor-*
8 *mation as the Secretary considers useful.*

9 (3) *UPDATE REPORT.*—*Using information col-*
10 *lected through the database, the Secretary shall peri-*
11 *odically modify as appropriate the report submitted*
12 *under section 1207(c) of the Transportation Equity*
13 *Act for the 21st Century (23 U.S.C. 129 note; 112*
14 *Stat. 185–186).*

15 (4) *REQUIREMENTS.*—*The Secretary shall—*

16 (A) *compile the database not later than 1*
17 *year after the date of enactment of this Act and*
18 *update the database every 2 years thereafter;*

19 (B) *ensure that the database is easily acces-*
20 *sible to the public;*

21 (C) *make available, from the ferry boat and*
22 *ferry terminal program authorized under section*
23 *165 of title 23, United States Code, not more*
24 *than \$500,000 for each of fiscal years 2005*
25 *through 2009 to establish the database.*

1 **SEC. 1114. INTERSTATE MAINTENANCE DISCRETIONARY.**

2 (a) *IN GENERAL.*—Section 118 of title 23, United
3 States Code, is amended—

4 (1) *by striking subsection (c);*

5 (2) *in subsection (e) by inserting “Special*
6 *Rules.—” before “Funds made”; and*

7 (3) *by redesignating subsections (d) and (e) as*
8 *subsections (c) and (d), respectively.*

9 (b) *CONFORMING AMENDMENT.*—Section 103(d)(1) of
10 *such title is amended by striking “or 118(c)”.*

11 (c) *TECHNICAL AMENDMENTS.*—

12 (1) *SECTION 114.*—Section 114(a) of such title is
13 *amended by striking “Except as provided in section*
14 *117 of this title, such” and inserting “Such”.*

15 (2) *SECTION 116.*—Section 116(b) of such title is
16 *amended by striking “highway department” and in-*
17 *serting “transportation department”.*

18 (3) *SECTION 120.*—Section 120(e) of such title is
19 *amended in the first sentence by striking “such sys-*
20 *tem” and inserting “such highway”.*

21 (4) *SECTION 126.*—Section 126(a) of such title is
22 *amended by inserting “under” before “section*
23 *104(b)(3)”.*

24 (5) *SECTION 127.*—Section 127 of such title is
25 *amended by striking “118(b)(1)” and inserting*
26 *“118(b)(2)”.*

1 (6) *BICYCLE AND PEDESTRIAN SAFETY*
2 *GRANTS*.—Section 1212(i) of the *Transportation Eq-*
3 *uity Act for the 21st Century* (112 Stat. 196–197) is
4 amended by redesignating subparagraphs (D) and
5 (E) as paragraphs (2) and (3), respectively, and mov-
6 ing such paragraphs 2 ems to the left.

7 (d) *LIMITATION*.—The amendments made by this sec-
8 tion shall not apply to, or have any affect with respect to,
9 funds made available under section 118 of title 23, *United*
10 *States Code*, before the date of enactment of this section.

11 (e) *EFFECTIVE DATE*.—The amendments made by sub-
12 sections (a) and (b) of this section shall take effect on Sep-
13 tember 30, 2005.

14 **SEC. 1115. HIGHWAY BRIDGE.**

15 (a) *SCOUR COUNTERMEASURES*.—Section 144(d) of
16 title 23, *United States Code*, is amended to read as follows:

17 “(d) *APPLICATIONS FOR AND APPROVAL OF ASSIST-*
18 *ANCE*.—

19 “(1) *BRIDGE REPLACEMENT OR REHABILITA-*
20 *TION*.—Whenever any State or States make applica-
21 tion to the Secretary for assistance in replacing or re-
22 habilitating a highway bridge which the priority sys-
23 tem established under subsections (b) and (c) shows to
24 be eligible, the Secretary may approve Federal par-

1 *ticipation in replacing such bridge with a comparable*
2 *facility or in rehabilitating such bridge.*

3 *“(2) PREVENTIVE MAINTENANCE, SCOUR MEAS-*
4 *URES, AND APPLICATIONS OF CERTAIN COMPOSI-*
5 *TIONS.—Whenever any State makes application to the*
6 *Secretary for assistance in painting, seismic retrofit,*
7 *or preventive maintenance of, or installing scour*
8 *countermeasures or applying calcium magnesium ace-*
9 *tate, sodium acetate/formate, or other environmentally*
10 *acceptable, minimally corrosive anti-icing and de-*
11 *icing compositions to, the structure of a highway*
12 *bridge, the Secretary may approve Federal participa-*
13 *tion in the painting, seismic retrofit, or preventive*
14 *maintenance of, or installation of scour counter-*
15 *measures or application of acetate or sodium acetate/*
16 *formate or such anti-icing or de-icing composition to,*
17 *such structure.*

18 *“(3) ELIGIBILITY.—The Secretary shall deter-*
19 *mine the eligibility of highway bridges for replace-*
20 *ment or rehabilitation for each State based upon the*
21 *unsafe highway bridges in such State; except that a*
22 *State may carry out a project for preventive mainte-*
23 *nance on a bridge, seismic retrofit of a bridge, or in-*
24 *stalling scour countermeasures to a bridge under this*

1 *section without regard to whether the bridge is eligible*
2 *for replacement or rehabilitation under this section.”.*

3 (b) *BRIDGE DISCRETIONARY SET-ASIDE.*—Section
4 *144(g)(1) of such title is amended by adding at the end*
5 *the following:*

6 “(D) *FISCAL YEARS 2004 THROUGH 2009.*—
7 *Of the amounts authorized to be appropriated to*
8 *carry out the bridge program under this section*
9 *for each of the fiscal years 2004 through 2009,*
10 *all but \$100,000,000 shall be apportioned as pro-*
11 *vided in subsection (e). Such \$100,000,000 shall*
12 *be available at the discretion of the Secretary;*
13 *except that \$25,000,000 shall be available only*
14 *for projects for the seismic retrofit of bridges, and*
15 *of which \$10,000,000 shall be available only for*
16 *the seismic retrofit of a bridge described in sub-*
17 *section (l), and except as provided in subpara-*
18 *graph (E).*

19 “(E) *GRAVINA ACCESS.*—

20 “(i) *IN GENERAL.*—*Of the amounts au-*
21 *thorized to be appropriated to carry out the*
22 *bridge program under this paragraph, for*
23 *each of the fiscal years 2005 through 2009,*
24 *\$10,000,000 shall be set aside from the*
25 *\$100,000,000 available at the discretion of*

1 the Secretary under subparagraph (D) for
2 the construction of a bridge joining the Is-
3 land of Gravina to the community of Ketch-
4 ikan in Alaska.

5 “(ii) SCORING.—The project described
6 in this subparagraph shall not be counted
7 for purposes of the reduction set forth in the
8 fourth sentence of subsection (e).”.

9 (c) OFF-SYSTEM BRIDGES.—Section 144(g)(3) of such
10 title is amended—

11 (1) by striking “15 percent” and inserting “20
12 percent”;

13 (2) by striking “1987” and inserting “2005”;

14 (3) by striking “2004” the first place it appears
15 and all that follows through “2005,” and inserting
16 “2009 for the bridge program,”;

17 (4) by inserting “, perform systematic preventive
18 maintenance,” after “paint”; and

19 (5) by inserting a comma before “to highway
20 bridges”.

21 (d) TECHNICAL AMENDMENT.—Section 144(i) of such
22 title is amended by striking “at the same time” and all
23 that follows through “Congress”.

1 **SEC. 1116. TRANSPORTATION AND COMMUNITY AND SYS-**
2 **TEM PRESERVATION PROGRAM.**

3 (a) *EXTENSION.*—Section 1221(e)(1) of the *Transpor-*
4 *tation Equity Act for the 21st Century* (23 U.S.C. 101 note;
5 112 Stat. 223; 118 Stat. 879; 118 Stat. 1149) is amended—

6 (1) by striking “1999 and” and inserting
7 “1999,”; and

8 (2) by striking “2004” the first place it appears
9 and all that follows through “2005” and inserting the
10 following: “, and \$25,000,000 for fiscal year 2004,
11 \$30,000,000 for fiscal year 2005, \$35,000,000 for fis-
12 cal year 2006, \$35,000,000 for fiscal year 2007, and
13 \$35,000,000 for each of fiscal years 2008 and 2009”.

14 (b) *FEDERAL SHARE.*—Section 1221(e)(2) of such Act
15 is amended by inserting before the period at the end “; ex-
16 cept that such funds shall not be transferable and the Fed-
17 eral share for projects and activities carried out with such
18 funds shall be determined in accordance with section 120(b)
19 of title 23, United States Code”.

20 (c) *PLANNING ACTIVITIES PILOT PROGRAM.*—Section
21 1221 of such Act is amended by adding at the end the fol-
22 lowing:

23 “(f) *PLANNING ACTIVITIES PILOT PROGRAM.*—

24 “(1) *IN GENERAL.*—The Secretary shall establish
25 a pilot program using funds set aside under para-
26 graph (4) to support planning and public participa-

1 *tion activities related to highway and public trans-*
2 *portation projects.*

3 “(2) *ELIGIBLE ACTIVITIES.*—*Activities eligible to*
4 *be carried out under the pilot program may include*
5 *the following:*

6 “(A) *Improving data collection and anal-*
7 *ysis to improve freight movement, intermodal*
8 *connections, and transportation access and effi-*
9 *ciency for all users, including children, older in-*
10 *dividuals, individuals with disabilities, low-in-*
11 *come individuals, and minority communities.*

12 “(B) *Supporting public participation by*
13 *holding public meetings using an interactive*
14 *workshop format facilitated by design or plan-*
15 *ning experts (or both) to consider public input at*
16 *the initial stages of project development and dur-*
17 *ing other phases of a project.*

18 “(C) *Using innovative planning or design*
19 *visualization and simulation tools to improve the*
20 *evaluation of alternatives and their impacts and*
21 *to enhance public participation in the transpor-*
22 *tation planning process, including tools having a*
23 *structure that enables modifications to scenarios*
24 *and assumptions in real time.*

1 “(D) *Enhancing coordination among trans-*
2 *portation, land use, workforce development,*
3 *human service, economic development, and other*
4 *agencies to strengthen access to job training serv-*
5 *ices, daycare centers, health care facilities, senior*
6 *centers, public schools, universities, and residen-*
7 *tial areas, including the use of integrated plan-*
8 *ning and service delivery, especially for transit*
9 *dependent and low-income individuals.*

10 “(E) *Contracting with nonprofit organiza-*
11 *tions, universities, and local agencies to deliver*
12 *community-oriented transportation plans and*
13 *projects, including public outreach, context sen-*
14 *sitive design, transit-oriented development,*
15 *multimodal corridor investments, commuter ben-*
16 *efits deployment, and brownfield redevelopment.*

17 “(F) *Measuring and reporting on the an-*
18 *nuual performance of the transportation system*
19 *(or parts of) relative to State or locally-estab-*
20 *lished criteria regarding—*

21 “(i) *maintenance and operating costs*
22 *of the transportation system, vehicle miles*
23 *traveled, peak-period travel times, transpor-*
24 *tation choices, and mode shares;*

1 “(ii) location of housing units, jobs,
2 medical facilities, and commercial centers to
3 transit;

4 “(iii) improvements directed to low-in-
5 come families and older individuals;

6 “(iv) transportation-related pollution
7 emissions into the air and water;

8 “(v) land consumption; and

9 “(vi) other locally-significant factors.

10 “(G) Improving regional travel and emis-
11 sion modeling to examine factors not currently
12 considered, such as induced travel and land use
13 effects of transportation alternatives, types of ve-
14 hicles owned and used by households, time-of-day
15 of travel and linkage of trips to each other
16 throughout the day, effects of urban design and
17 pedestrian and bicycle environment on travel be-
18 havior, and impacts of alternatives on the dis-
19 tribution of benefits and burdens among various
20 groups protected under title VI of the Civil
21 Rights Act of 1964 (42 U.S.C. 2000d et seq.).

22 “(3) FEDERAL SHARE.—Notwithstanding sub-
23 section (e)(2), the Federal share of the cost of activi-
24 ties carried out under the pilot program shall be 100
25 percent.

1 “(4) *SET ASIDE.*—*The Secretary shall make*
2 *available \$1,500,000 of the amounts made available to*
3 *carry out this section for each of fiscal years 2005*
4 *through 2009 to carry out the pilot program under*
5 *this subsection.*”.

6 **SEC. 1117. DEPLOYMENT OF MAGNETIC LEVITATION TRANS-**
7 **PORTATION PROJECTS.**

8 (a) *DEFINITIONS.*—*In this section, the following defi-*
9 *initions apply:*

10 (1) *ELIGIBLE PROJECT COSTS.*—*The term “eligi-*
11 *ble project costs”*—

12 (A) *means the capital cost of the fixed*
13 *guideway infrastructure of a MAGLEV project,*
14 *including land, piers, guideways, propulsion*
15 *equipment and other components attached to*
16 *guideways, power distribution facilities (includ-*
17 *ing substations), control and communications fa-*
18 *cilities, access roads, and storage, repair, and*
19 *maintenance facilities, but not including costs*
20 *incurred for a new station; and*

21 (B) *includes the costs of preconstruction*
22 *planning activities.*

23 (2) *FULL PROJECT COSTS.*—*The term “full*
24 *project costs” means the total capital costs of a*

1 *MAGLEV project, including eligible project costs and*
2 *the costs of stations, vehicles, and equipment.*

3 (3) *MAGLEV.*—*The term “MAGLEV” means*
4 *transportation systems employing magnetic levitation*
5 *that would be capable of safe use by the public at a*
6 *speed in excess of 240 miles per hour.*

7 (4) *STATE.*—*The term “State” has the meaning*
8 *such term has under section 101(a) of title 23, United*
9 *States Code.*

10 (b) *IN GENERAL.*—

11 (1) *ASSISTANCE FOR ELIGIBLE PROJECTS.*—*The*
12 *Secretary shall make available financial assistance to*
13 *pay the Federal share of full project costs of eligible*
14 *projects authorized by this section.*

15 (2) *USE OF ASSISTANCE.*—*Financial assistance*
16 *provided under paragraph (1) shall be used only to*
17 *pay eligible project costs of projects authorized by this*
18 *section.*

19 (3) *APPLICABILITY OF OTHER LAWS.*—*Financial*
20 *assistance made available under this section, and*
21 *projects assisted with such assistance, shall be subject*
22 *to section 5333(a) of title 49, United States Code.*

23 (c) *PROJECT ELIGIBILITY.*—*To be eligible to receive fi-*
24 *nancial assistance under subsection (b), a project shall—*

1 (1) *involve a segment or segments of a high-speed*
2 *ground transportation corridor;*

3 (2) *result in an operating transportation facility*
4 *that provides a revenue producing service; and*

5 (3) *be approved by the Secretary based on an*
6 *application submitted to the Secretary by a State or*
7 *authority designated by 1 or more States.*

8 (d) *AUTHORIZATION OF APPROPRIATIONS.—There is*
9 *authorized to be appropriated from the Highway Trust*
10 *Fund (other than the Mass Transit Account) to carry out*
11 *this section \$15,000,000 for fiscal year 2005 and*
12 *\$20,000,000 for each of fiscal years 2006 through 2009.*

13 (e) *APPLICABILITY OF TITLE 23, UNITED STATES*
14 *CODE.—Funds authorized to be appropriated by this sec-*
15 *tion shall be available for obligation in the same manner*
16 *as if such funds were apportioned under chapter 1 of title*
17 *23, United States Code; except that the Federal share of the*
18 *full project costs of an eligible project shall be 80 percent,*
19 *and such funds shall remain available until expended and*
20 *shall not be transferable.*

21 **SEC. 1118. RECREATIONAL TRAILS.**

22 (a) *RECREATIONAL TRAILS PROGRAM FORMULA.—*
23 *Section 104(h)(1) of title 23, United States Code, is amend-*
24 *ed by striking “research and technical” and all that follows*
25 *through “Committee” and inserting “research, technical as-*

1 *sistance, and training under the recreational trails pro-*
2 *gram”.*

3 *(b) PERMISSIBLE USES.—Section 206(d)(2) of such*
4 *title is amended to read as follows:*

5 *“(2) PERMISSIBLE USES.—Permissible uses of*
6 *funds apportioned to a State for a fiscal year to carry*
7 *out this section include—*

8 *“(A) maintenance and restoration of exist-*
9 *ing recreational trails;*

10 *“(B) development and rehabilitation of*
11 *trailside and trailhead facilities and trail link-*
12 *ages for recreational trails;*

13 *“(C) purchase and lease of recreational trail*
14 *construction and maintenance equipment;*

15 *“(D) construction of new recreational trails,*
16 *except that, in the case of new recreational trails*
17 *crossing Federal lands, construction of the trails*
18 *shall be—*

19 *“(i) permissible under other law;*

20 *“(ii) necessary and recommended by a*
21 *statewide comprehensive outdoor recreation*
22 *plan that is required by the Land and*
23 *Water Conservation Fund Act of 1965 (16*
24 *U.S.C. 460l–4 et seq.) and that is in effect;*

1 “(iii) approved by the administering
2 agency of the State designated under sub-
3 section (c)(1); and

4 “(iv) approved by each Federal agency
5 having jurisdiction over the affected lands
6 under such terms and conditions as the
7 head of the Federal agency determines to be
8 appropriate, except that the approval shall
9 be contingent on compliance by the Federal
10 agency with all applicable laws, including
11 the National Environmental Policy Act of
12 1969 (42 U.S.C. 4321 et seq.), the Forest
13 and Rangeland Renewable Resources Plan-
14 ning Act of 1974 (16 U.S.C. 1600 et seq.),
15 and the Federal Land Policy and Manage-
16 ment Act of 1976 (43 U.S.C. 1701 et seq.);

17 “(E) acquisition of easements and fee sim-
18 ple title to property for recreational trails or rec-
19 reational trail corridors;

20 “(F) assessment of trail conditions for ac-
21 cessibility and maintenance;

22 “(G) operation of educational programs to
23 promote safety and environmental protection as
24 those objectives relate to the use of recreational
25 trails, but in an amount not to exceed 5 percent

1 *of the apportionment made to the State for the*
2 *fiscal year; and*

3 *“(H) payment of costs to the State incurred*
4 *in administering the program, but in an amount*
5 *not to exceed 7 percent of the apportionment*
6 *made to the State for the fiscal year to carry out*
7 *this section.”.*

8 *(c) USE OF APPORTIONMENTS.—Section 206(d)(3) of*
9 *such title is amended—*

10 *(1) by striking subparagraph (C);*

11 *(2) by redesignating subparagraph (D) as sub-*
12 *paragraph (C); and*

13 *(3) in subparagraph (C) (as so redesignated) by*
14 *striking “(2)(F)” and inserting “(2)(H)”.*

15 *(d) FEDERAL SHARE.—Section 206(f) of such title is*
16 *amended—*

17 *(1) in paragraph (1)—*

18 *(A) by inserting “and the Federal share of*
19 *the administrative costs of a State” after*
20 *“project”; and*

21 *(B) by striking “not exceed 80 percent” and*
22 *inserting “be determined in accordance with sec-*
23 *tion 120(b)”;*

1 (2) in paragraph (2)(A) by striking “80 percent
2 of” and inserting “the amount determined in accord-
3 ance with section 120(b) for”;

4 (3) in paragraph (2)(B) by inserting “spon-
5 soring the project” after “Federal agency”;

6 (4) by striking paragraph (5);

7 (5) by redesignating paragraph (4) as para-
8 graph (5);

9 (6) in paragraph (5) (as so redesignated) by
10 striking “80 percent” and inserting “the Federal
11 share as determined in accordance with section
12 120(b)”;

13 (7) by inserting after paragraph (3) the fol-
14 lowing:

15 “(4) *USE OF RECREATIONAL TRAILS PROGRAM*
16 *FUNDS TO MATCH OTHER FEDERAL PROGRAM*
17 *FUNDS.—Notwithstanding any other provision of law,*
18 *funds made available under this section may be used*
19 *toward the non-Federal matching share for other Fed-*
20 *eral program funds that are—*

21 “(A) *expended in accordance with the re-*
22 *quirements of the Federal program relating to*
23 *activities funded and populations served; and*

24 “(B) *expended on a project that is eligible*
25 *for assistance under this section.”.*

1 (e) *PLANNING AND ENVIRONMENTAL ASSESSMENT*
 2 *COSTS INCURRED PRIOR TO PROJECT APPROVAL.*—Section
 3 *206(h)(1) of such title is amended by adding at the end*
 4 *the following:*

5 “(C) *PLANNING AND ENVIRONMENTAL AS-*
 6 *SESSMENT COSTS INCURRED PRIOR TO PROJECT*
 7 *APPROVAL.*—The Secretary may allow pre-ap-
 8 *proval planning and environmental compliance*
 9 *costs to be credited toward the non-Federal share*
 10 *of the cost of a project described under subsection*
 11 *(d)(2) (other than subparagraph (I)) in accord-*
 12 *ance with subsection (f), limited to costs incurred*
 13 *less than 18 months prior to project approval.”.*

14 (f) *ENCOURAGEMENT OF USE OF YOUTH CONSERVA-*
 15 *TION OR SERVICE CORPS.*—The Secretary shall encourage
 16 *the States to enter into contracts and cooperative agree-*
 17 *ments with qualified youth conservation or service corps to*
 18 *perform construction and maintenance of recreational*
 19 *trails under section 206 of title 23, United States Code.*

20 **SEC. 1119. FEDERAL LANDS HIGHWAYS.**

21 (a) *CONTRACTS AND AGREEMENTS WITH INDIAN*
 22 *TRIBES.*—Section 202(d)(3) of title 23, United States Code,
 23 *is amended to read as follows:*

24 “(3) *CONTRACTS AND AGREEMENTS WITH INDIAN*
 25 *TRIBES.*—

1 “(A) *IN GENERAL.*—*Notwithstanding any*
2 *other provision of law or any interagency agree-*
3 *ment, program guideline, manual, or policy di-*
4 *rective, all funds made available to an Indian*
5 *tribal government under this title for a highway,*
6 *road, bridge, parkway, or transit facility project*
7 *that is located on an Indian reservation or pro-*
8 *vides access to the reservation or a community of*
9 *the Indian tribe shall be made available, on the*
10 *request of the Indian tribal government, to the*
11 *Indian tribal government for use in carrying*
12 *out, in accordance with the Indian Self-Deter-*
13 *mination and Education Assistance Act (25*
14 *U.S.C. 450 et seq.), contracts and agreements for*
15 *the planning, research, engineering, and con-*
16 *struction relating to such project.*

17 “(B) *EXCLUSION OF AGENCY PARTICIPA-*
18 *TION.*—*In accordance with subparagraph (A),*
19 *all funds for a project to which subparagraph*
20 *(A) applies shall be paid to the Indian tribal*
21 *government without regard to the organizational*
22 *level at which the Department of the Interior has*
23 *previously carried out, or the Department of*
24 *Transportation has previously carried out under*

1 *the Federal lands highway programs, the pro-*
2 *grams, functions, services, or activities involved.*

3 “(C) *CONSORTIA.*—*Two or more Indian*
4 *tribes that are otherwise eligible to participate in*
5 *a project to which this title applies may form a*
6 *consortium to be considered as a single Indian*
7 *tribe for the purpose of participating in the*
8 *project under this section.*

9 “(D) *FUNDING.*—*The amount an Indian*
10 *tribal government receives for a project under*
11 *subparagraph (A) shall equal the sum of the*
12 *funding that the Indian tribal government would*
13 *otherwise receive for the project in accordance*
14 *with the funding formula established under this*
15 *subsection and such additional amount as the*
16 *Secretary determines equal the amounts that*
17 *would have been withheld for the costs of the Bu-*
18 *reau of Indian Affairs for administration of the*
19 *project.*

20 “(E) *ELIGIBILITY.*—*An Indian tribal gov-*
21 *ernment may receive funding under subpara-*
22 *graph (A) for a project in a fiscal year if the In-*
23 *dian tribal government demonstrates to the satis-*
24 *faction of the Secretary financial stability and*
25 *financial management capability as dem-*

1 *onstrated in the annual auditing required under*
2 *the Indian Self-Determination and Education*
3 *Assistance Act (25 U.S.C. 450 et seq.) and, dur-*
4 *ing the preceding fiscal year, had no uncorrected*
5 *significant and material audit exceptions in the*
6 *required annual audit of the Indian tribe’s self-*
7 *determination contracts or self-governance fund-*
8 *ing agreements with any Federal agency.*

9 *“(F) ASSUMPTION OF FUNCTIONS AND DU-*
10 *TIES.—An Indian tribal government receiving*
11 *funding under subparagraph (A) for a project*
12 *shall assume all functions and duties that the*
13 *Secretary of the Interior would have performed*
14 *with respect to projects under this chapter, other*
15 *than those functions and duties that inherently*
16 *cannot be legally transferred under the Indian*
17 *Self-Determination and Education Assistance*
18 *Act (25 U.S.C. 450b et seq.).*

19 *“(G) POWERS.—An Indian tribal govern-*
20 *ment receiving funding under subparagraph (A)*
21 *for a project shall have all powers that the Sec-*
22 *retary of the Interior would have exercised in ad-*
23 *ministering the funds transferred to the Indian*
24 *tribal government for such project under this sec-*
25 *tion if such funds had not been transferred, ex-*

1 *cept to the extent that such powers are powers*
2 *that inherently cannot be legally transferred*
3 *under the Indian Self-Determination and Edu-*
4 *cation Assistance Act (25 U.S.C. 450b et seq.).*

5 “(H) *DISPUTE RESOLUTION.*—*In the event*
6 *of a disagreement between the Secretary of*
7 *Transportation or the Secretary of the Interior*
8 *and an Indian tribe over whether a particular*
9 *function, duty, or power may be lawfully trans-*
10 *ferred under the Indian Self-Determination and*
11 *Education Assistance Act (25 U.S.C. 450b et*
12 *seq.), the Indian tribe shall have the right to*
13 *pursue all alternative dispute resolutions and*
14 *appeal procedures authorized by such Act, in-*
15 *cluding regulations issued to carry out such*
16 *Act.”.*

17 (b) *ALASKA NATIVE VILLAGE INVENTORY.*—*Section*
18 *202(d)(2) of such title is amended by adding at the end*
19 *the following:*

20 “(E) *ALASKA NATIVE ROAD INVENTORY.*—

21 “(i) *IN GENERAL.*—*For fiscal year*
22 *2005 and each fiscal year thereafter, any al-*
23 *location of sums authorized to be appro-*
24 *priated for Indian reservation roads in*
25 *Alaska shall be based on an inventory of*

1 roads within the exterior boundaries of vil-
2 lage corporation land selected pursuant to
3 the Alaska Native Claims Settlement Act
4 (43 U.S.C. 1601 et seq.) that includes all
5 routes previously included in such an in-
6 ventory. The Secretary of Transportation
7 and the Secretary of the Interior may in-
8 clude, in the inventory of roads, those pro-
9 posed for inclusion by tribal village govern-
10 ments from among community streets with-
11 in the village and those proposed primary
12 access routes for inclusion by tribal village
13 governments, including roads and trails be-
14 tween villages (including links over water),
15 roads and trails to landfills, roads and
16 trails to drinking water sources, roads and
17 trails to natural resources identified for eco-
18 nomic development, and roads and trails
19 that provide access to intermodal termini,
20 such as airports, harbors, or boat landings.

21 “(ii) *LIMITATION ON PRIMARY ACCESS*
22 *ROUTES.*—For purposes of this subpara-
23 graph, a proposed primary access route is
24 the shortest practicable route connecting 2
25 points of the proposed route.”

1 (c) *GRANTS FOR FINANCING TRANSPORTATION*
2 *DEBT.*—Section 202(d)(2)(A) of such title is amended by
3 inserting before the period at the end the following: “; except
4 that, beginning October 1, 2004, the Secretary may use up
5 to 3 percent of such funds for making grants to Indian
6 tribes for the purpose of financing transportation debt for
7 individual Indian reservation roads subject to all require-
8 ments governing Federal assistance for Indian roads under
9 this section and section 204”.

10 (d) *DEPUTY ASSISTANT SECRETARY OF TRANSPOR-*
11 *TATION FOR TRIBAL GOVERNMENT AFFAIRS.*—Section 102
12 of title 49, United States Code, is amended—

13 (1) by redesignating subsections (f) and (g) as
14 subsections (g) and (h), respectively; and

15 (2) by inserting after subsection (e) the following:

16 “(f) *DEPUTY ASSISTANT SECRETARY FOR TRIBAL*
17 *GOVERNMENT AFFAIRS.*—The Department of Transpor-
18 tation shall have, within the office of the Secretary, a Dep-
19 uty Assistant Secretary for Tribal Government Affairs ap-
20 pointed by the President to plan, coordinate, and imple-
21 ment the Department of Transportation policy and pro-
22 grams serving Indian tribes and tribal organizations and
23 to coordinate tribal transportation programs and activities
24 in all offices and administrations of the Department and
25 to be a participant in any negotiated rulemaking related

1 to, or has impact on, projects, programs, or funding associ-
2 ated with the tribal transportation program.”.

3 (e) *ALASKA NATIVE VILLAGE TRANSPORTATION PRO-*
4 *GRAM.*—

5 (1) *ESTABLISHMENT.*—Not later than 3 months
6 after the date of enactment of this Act, the Secretary
7 and the Denali Commission, in coordination with the
8 Alaska Federation of Natives, shall establish an Alas-
9 ka Native Village transportation program to pay the
10 costs of planning, design, construction, and mainte-
11 nance of road and other surface transportation facili-
12 ties identified by Alaska Native Villages.

13 (2) *ALASKA NATIVE VILLAGE DEFINED.*—In this
14 subsection, the term “Alaska Native Village” has the
15 same meaning such term has as used by the Bureau
16 of Indian Affairs in administering the Indian res-
17 ervation road program under section 202 of title 23,
18 United States Code.

19 **SEC. 1120. CONSERVATION MEASURES.**

20 (a) *REFUGE ROADS.*—Section 204(k)(1) of title 23,
21 United States Code, is amended—

22 (1) by striking “and” at the end of subpara-
23 graph (B);

24 (2) by redesigning subparagraph (C) as subpara-
25 graph (D);

1 (3) *by inserting after subparagraph (B) the fol-*
2 *lowing:*

3 “(C) *construction, maintenance, and im-*
4 *provement of wildlife observation infrastructure;*
5 *and”;* and

6 (4) *in subparagraph (D) (as so redesignated) by*
7 *striking “maintenance and improvements” and in-*
8 *serting “construction, maintenance, and improve-*
9 *ments”.*

10 (b) *FOREST HIGHWAYS.—Of the amounts made avail-*
11 *able for public lands highways under section 1101—*

12 (1) *not to exceed \$20,000,000 per fiscal year may*
13 *be used for the maintenance of forest highways;*

14 (2) *not to exceed \$2,500,000 per fiscal year may*
15 *be used to repair culverts and bridges on forest high-*
16 *ways to facilitate appropriate fish passage and ensure*
17 *reasonable flows and to maintain and remove such*
18 *culverts and bridges as appropriate; and*

19 (3) *not to exceed \$1,000,000 per fiscal year may*
20 *be used for signage identifying public hunting and*
21 *fishing access.*

22 (c) *WILDLIFE VEHICLE COLLISION REDUCTION*
23 *STUDY.—*

24 (1) *IN GENERAL.—The Secretary shall conduct a*
25 *study of methods to reduce collisions between motor*

1 *vehicles and wildlife (in this subsection referred to as*
2 *“wildlife vehicle collisions”).*

3 (2) *CONTENTS.—*

4 (A) *AREAS OF STUDY.—The study shall in-*
5 *clude an assessment of the causes and impacts of*
6 *wildlife vehicle collisions and solutions and best*
7 *practices for reducing such collisions.*

8 (B) *METHODS FOR CONDUCTING THE*
9 *STUDY.—In carrying out the study, the Sec-*
10 *retary shall—*

11 (i) *conduct a thorough literature re-*
12 *view; and*

13 (ii) *survey current practices of the De-*
14 *partment of Transportation.*

15 (3) *CONSULTATION.—In carrying out the study,*
16 *the Secretary shall consult with appropriate experts*
17 *in the field of wildlife vehicle collisions.*

18 (4) *REPORT.—*

19 (A) *IN GENERAL.—Not later than 2 years*
20 *after the date of enactment of this Act, the Sec-*
21 *retary shall transmit to Congress a report on the*
22 *results of the study.*

23 (B) *CONTENTS.—The report shall include a*
24 *description of each of the following:*

25 (i) *Causes of wildlife vehicle collisions.*

1 (ii) *Impacts of wildlife vehicle collisions.*
2

3 (iii) *Solutions to and prevention of*
4 *wildlife vehicle collisions.*

5 (5) *MANUAL.—*

6 (A) *DEVELOPMENT.—Based upon the re-*
7 *sults of the study, the Secretary shall develop a*
8 *best practices manual to support State efforts to*
9 *reduce wildlife vehicle collisions.*

10 (B) *AVAILABILITY.—The manual shall be*
11 *made available to States not later than 1 year*
12 *after the date of transmission of the report under*
13 *paragraph (4).*

14 (C) *CONTENTS.—The manual shall include,*
15 *at a minimum, the following:*

16 (i) *A list of best practices addressing*
17 *wildlife vehicle collisions.*

18 (ii) *A list of information, technical,*
19 *and funding resources for addressing wild-*
20 *life vehicle collisions.*

21 (iii) *Recommendations for addressing*
22 *wildlife vehicle collisions.*

23 (iv) *Guidance for developing a State*
24 *action plan to address wildlife vehicle colli-*
25 *sions*

1 (6) *TRAINING.*—Based upon the manual devel-
2 oped under paragraph (5), the Secretary shall develop
3 a training course on addressing wildlife vehicle colli-
4 sions for transportation professionals.

5 **SEC. 1121. PEDESTRIAN AND CYCLIST EQUITY.**

6 (a) *SAFE ROUTES TO SCHOOL PROGRAM.*—

7 (1) *ESTABLISHMENT.*—Subject to the require-
8 ments of this subsection, the Secretary shall establish
9 and carry out a safe routes to school program for the
10 benefit of children in primary and middle schools.

11 (2) *PURPOSES.*—The purposes of the program
12 shall be—

13 (A) to enable and encourage children, in-
14 cluding those with disabilities, to walk and bicy-
15 cle to school;

16 (B) to make bicycling and walking to school
17 a safer and more appealing transportation alter-
18 native, thereby encouraging a healthy and active
19 lifestyle from an early age; and

20 (C) to facilitate the planning, development,
21 and implementation of projects and activities
22 that will improve safety and reduce traffic, fuel
23 consumption, and air pollution in the vicinity of
24 schools.

25 (3) *APPORTIONMENT OF FUNDS.*—

1 (A) *IN GENERAL.*—Subject to subpara-
2 graphs (B) and (C), amounts made available to
3 carry out this subsection for a fiscal year shall
4 be apportioned among the States in the ratio
5 that—

6 (i) the total student enrollment in pri-
7 mary and middle schools in each State;
8 bears to

9 (ii) the total student enrollment in pri-
10 mary and middle schools in all the States.

11 (B) *MINIMUM APPORTIONMENT.*—No State
12 shall receive an apportionment under this sub-
13 section for a fiscal year of less than \$2,000,000.

14 (C) *SET-ASIDE.*—Before apportioning
15 amounts made available to carry out this sub-
16 section under this paragraph for a fiscal year,
17 the Secretary shall set aside not more than 2
18 percent of such amounts for the administrative
19 expenses of the Secretary in carrying out this
20 subsection.

21 (D) *DETERMINATION OF STUDENT ENROLL-*
22 *MENTS.*—Determinations under this paragraph
23 concerning student enrollments shall be made by
24 the Secretary.

1 (4) *ADMINISTRATION OF AMOUNTS.*—Amounts
2 apportioned to a State under this subsection shall be
3 administered by the State’s department of transpor-
4 tation.

5 (5) *ELIGIBLE RECIPIENTS.*—Amounts appor-
6 tioned to a State under this subsection shall be used
7 by the State to provide financial assistance to State,
8 local, and regional agencies, including nonprofit or-
9 ganizations, that demonstrate an ability to meet the
10 requirements of this subsection.

11 (6) *ELIGIBLE PROJECTS AND ACTIVITIES.*—

12 (A) *INFRASTRUCTURE-RELATED*
13 *PROJECTS.*—

14 (i) *IN GENERAL.*—Amounts appor-
15 tioned to a State under this subsection may
16 be used for the planning, design, and con-
17 struction of infrastructure-related projects
18 that will substantially improve the ability
19 of students to walk and bike to school, in-
20 cluding sidewalk improvements, traffic
21 calming and speed reduction improvements,
22 pedestrian and bicycle crossing improve-
23 ments, on-street bicycle facilities, off-street
24 bicycle and pedestrian facilities, secure bi-
25 cycle parking facilities, and traffic diver-

1 *sion improvements in the vicinity of*
2 *schools.*

3 *(ii) LOCATION OF PROJECTS.—Infra-*
4 *structure-related projects under subpara-*
5 *graph (A) may be carried out on any public*
6 *road or any bicycle or pedestrian pathway*
7 *or trail in the vicinity of schools.*

8 *(B) NONINFRASTRUCTURE-RELATED ACTIVI-*
9 *TIES.—*

10 *(i) IN GENERAL.—In addition to*
11 *projects described in subparagraph (A),*
12 *amounts apportioned to a State under this*
13 *subsection may be used for noninfrastruc-*
14 *ture-related activities to encourage walking*
15 *and bicycling to school, including public*
16 *awareness campaigns and outreach to press*
17 *and community leaders, traffic education*
18 *and enforcement in the vicinity of schools,*
19 *student sessions on bicycle and pedestrian*
20 *safety, health, and environment, and fund-*
21 *ing for training, volunteers, and managers*
22 *of safe routes to school programs.*

23 *(ii) ALLOCATION.—Not less than 10*
24 *percent and not more than 30 percent of the*
25 *amount apportioned to a State under this*

1 *subsection for a fiscal year shall be used for*
2 *noninfrastructure-related activities under*
3 *this subparagraph.*

4 (C) *SAFE ROUTES TO SCHOOL COORDI-*
5 *NATOR.—Each State receiving an apportionment*
6 *under this subsection for a fiscal year shall use*
7 *a sufficient amount of the apportionment to fund*
8 *a full-time position of coordinator of the State’s*
9 *safe routes to school program.*

10 (7) *CLEARINGHOUSE.—*

11 (A) *IN GENERAL.—The Secretary shall*
12 *make grants to a national nonprofit organiza-*
13 *tion engaged in promoting safe routes to schools*
14 *to—*

15 (i) *operate a national safe routes to*
16 *school clearinghouse;*

17 (ii) *develop information and edu-*
18 *cational programs on safe routes to school;*
19 *and*

20 (iii) *provide technical assistance and*
21 *disseminate techniques and strategies used*
22 *for successful safe routes to school programs.*

23 (B) *FUNDING.—The Secretary shall carry*
24 *out this paragraph using amounts set aside for*
25 *administrative expenses under paragraph (3)(C).*

1 (8) *TASK FORCE.*—

2 (A) *IN GENERAL.*—*The Secretary shall es-*
3 *tablish a national safe routes to school task force*
4 *composed of leaders in health, transportation,*
5 *and education, including representatives of ap-*
6 *propriate Federal agencies, to study and develop*
7 *a strategy for advancing safe routes to school*
8 *programs nationwide.*

9 (B) *REPORT.*—*Not later than March 31,*
10 *2006, the Secretary shall transmit to Congress a*
11 *report containing the results of the study con-*
12 *ducted, and a description of the strategy devel-*
13 *oped, under subparagraph (A) and information*
14 *regarding the use of funds for infrastructure-re-*
15 *lated and noninfrastructure-related activities*
16 *under subparagraphs (A) and (B) of paragraph*
17 *(6).*

18 (C) *FUNDING.*—*The Secretary shall carry*
19 *out this paragraph using amounts set aside for*
20 *administrative expenses under paragraph (3)(C).*

21 (9) *APPLICABILITY OF TITLE 23.*—*Funds made*
22 *available to carry out this subsection shall be avail-*
23 *able for obligation in the same manner as if such*
24 *funds were apportioned under chapter 1 of title 23,*
25 *United States Code; except that such funds shall not*

1 *be transferable and shall remain available until ex-*
2 *pended and the Federal share of the cost of a project*
3 *or activity under this section shall be 100 percent.*
4 *Notwithstanding any other provision of law, projects*
5 *assisted under this subsection shall be treated as*
6 *projects on a Federal-aid system under such chapter.*

7 (10) *DEFINITIONS.—In this subsection, the fol-*
8 *lowing definitions apply:*

9 (A) *IN THE VICINITY OF SCHOOLS.—The*
10 *term “in the vicinity of schools” means, with re-*
11 *spect to a school, the area within bicycling and*
12 *walking distance of the school (approximately 2*
13 *miles).*

14 (B) *PRIMARY AND MIDDLE SCHOOLS.—The*
15 *term “primary and middle schools” means*
16 *schools providing education from kindergarten*
17 *through eighth grade.*

18 (C) *STATE.—The term “State” has the*
19 *meaning such term has in section 101(a) of title*
20 *23, United States Code.*

21 (b) *NONMOTORIZED TRANSPORTATION PILOT PRO-*
22 *GRAM.—*

23 (1) *ESTABLISHMENT.—The Secretary shall estab-*
24 *lish and carry out a nonmotorized transportation*
25 *pilot program to construct, in 4 communities selected*

1 *by the Secretary, a network of nonmotorized transpor-*
2 *tation infrastructure facilities, including sidewalks,*
3 *bicycle lanes, and pedestrian and bicycle trails, that*
4 *connect directly with transit stations, schools, resi-*
5 *dences, businesses, recreation areas, and other commu-*
6 *nity activity centers.*

7 (2) *PURPOSE.*—*The purpose of the program shall*
8 *be to demonstrate the extent to which bicycling and*
9 *walking can carry a significant part of the transpor-*
10 *tation load, and represent a major portion of the*
11 *transportation solution, within selected communities.*

12 (3) *GRANTS.*—*In carrying out the program, the*
13 *Secretary may make grants to State, local, and re-*
14 *gional agencies, that the Secretary determines are*
15 *suitably equipped and organized to carry out the ob-*
16 *jectives and requirements of this subsection. An agen-*
17 *cy that receives a grant under this subsection may*
18 *suballocate grant funds to a nonprofit organization to*
19 *carry out the program under this subsection.*

20 (4) *APPLICABILITY OF TITLE 23.*—*Funds made*
21 *available to carry out this subsection shall be avail-*
22 *able for obligation in the same manner as if such*
23 *funds were apportioned under chapter 1 of title 23,*
24 *United States Code; except that the Federal share of*
25 *the cost of a project carried out under this subsection*

1 *shall be 80 percent, and such funds shall not be trans-*
2 *ferable and shall remain available until expended.*

3 (5) *STATISTICAL INFORMATION.*—*In carrying*
4 *out the program, the Secretary shall develop statis-*
5 *tical information on changes in motor vehicle, non-*
6 *motorized transportation, and public transportation*
7 *usage in communities participating in the program*
8 *and assess how such changes decrease congestion and*
9 *energy usage, increase the frequency of biking and*
10 *walking, and promote better health and a cleaner en-*
11 *vironment.*

12 (6) *REPORTS.*—*The Secretary shall transmit to*
13 *Congress an interim report not later than September*
14 *30, 2007, and a final report not later than September*
15 *30, 2010, on the results of the program.*

16 **SEC. 1122. NATIONAL COMMISSIONS.**

17 (a) *NATIONAL COMMISSION ON FUTURE REVENUE*
18 *SOURCES TO SUPPORT THE HIGHWAY TRUST FUND.*—

19 (1) *ESTABLISHMENT.*—*There is established a*
20 *National Commission on Future Revenue Sources to*
21 *Support the Highway Trust Fund to conduct—*

22 (A) *a study evaluating alternative short-*
23 *term sources of Highway Trust Fund revenue to*
24 *support the requirements of section 1124; and*

1 (B) a study evaluating alternative long-
2 term sources of revenue to support the Highway
3 Trust Fund, considering the findings, conclu-
4 sions, and recommendations of a recent study by
5 the Transportation Research Board of the Na-
6 tional Academy of Sciences on alternatives to the
7 fuel tax to support highway program financing
8 and other relevant prior research.

9 (2) FUNCTIONS.—The Commission shall—

10 (A) develop recommendations to generate
11 Highway Trust Fund revenue necessary to ac-
12 complish the requirements of section 1124;

13 (B) oversee a comprehensive investigation of
14 alternatives to replace the fuel tax as the prin-
15 cipal revenue source to support the Highway
16 Trust Fund over at least the next 30 years;

17 (C) consult with the Secretary of Transpor-
18 tation and the Secretary of the Treasury to as-
19 sure that their views concerning essential at-
20 tributes of Highway Trust Fund revenue alter-
21 natives are understood;

22 (D) assure that State transportation agency
23 views on alternative revenue sources to support
24 State transportation improvement programs are
25 appropriately considered and that any rec-

1 *ommended Federal financing strategy take into*
2 *account State financial requirements; and*

3 *(E) make specific recommendations regard-*
4 *ing actions that need to be taken to develop alter-*
5 *native revenue sources to support the Highway*
6 *Trust Fund and when those actions must be*
7 *taken.*

8 *(3) SPECIFIC MATTERS TO BE ADDRESSED.—The*
9 *study under paragraph (1)(B) shall address specifi-*
10 *cally—*

11 *(A) advantages and disadvantages of alter-*
12 *native revenue sources to meet anticipated Fed-*
13 *eral surface transportation financial require-*
14 *ments;*

15 *(B) the time frame within which actions*
16 *must be taken to transition from the fuel tax to*
17 *alternative revenue sources to support the High-*
18 *way Trust Fund;*

19 *(C) recommendations concerning the most*
20 *promising revenue sources to support long-term*
21 *Federal surface transportation financing require-*
22 *ments;*

23 *(D) development of a broad transition strat-*
24 *egy to move from the current tax base to new*

1 *funding mechanisms, including the time frame*
2 *for various aspects of the transition strategy;*

3 *(E) recommendations for additional re-*
4 *search that may be needed to implement rec-*
5 *ommended alternatives; and*

6 *(F) the extent to which revenues should re-*
7 *fect the relative use of the highway system.*

8 (4) *MATTERS TO CONSIDER AND EVALUATE.—To*
9 *the maximum extent feasible, the Commission, in con-*
10 *ducting the study under paragraph (1)(B), shall con-*
11 *sider and evaluate other related work that has been*
12 *done by the Department of Transportation, the De-*
13 *partment of Energy, the Transportation Research*
14 *Board, and others. In developing recommendations*
15 *under paragraph (2), the Commission shall con-*
16 *sider—*

17 *(A) the ability to generate sufficient reve-*
18 *nuces to meet anticipated long term surface trans-*
19 *portation financing needs;*

20 *(B) the roles of the various levels of govern-*
21 *ment and the private sector in meeting future*
22 *surface transportation financing needs;*

23 *(C) administrative costs, including enforce-*
24 *ment, to implement each option;*

25 *(D) potential taxpayer privacy concerns;*

1 (E) likely technological advances that could
2 ease implementation of each option;

3 (F) the equity and economic efficiency of
4 each option;

5 (G) the flexibility of different options to
6 allow various pricing alternatives to be imple-
7 mented; and

8 (H) potential compatibility issues with
9 States tax mechanisms under each alternative.

10 (5) MEMBERSHIP.—

11 (A) COMPOSITION.—The Commission shall
12 be composed of nine members of whom—

13 (i) three members shall be appointed
14 by the Secretary;

15 (ii) two members shall be appointed by
16 the Speaker of the House of Representatives;

17 (iii) one member shall be appointed by
18 the minority leader of the House of Rep-
19 resentatives;

20 (iv) two members shall be appointed by
21 the majority leader of the Senate; and

22 (v) one member shall be appointed by
23 the minority leader of the Senate.

24 (B) QUALIFICATIONS.—Members appointed
25 under subparagraph (A) shall have experience in

1 *public finance, surface transportation program*
2 *administration, managing organizations that*
3 *use surface transportation facilities, academic*
4 *research into related issues, or other activities*
5 *that provide unique perspectives on current and*
6 *future requirements for revenue sources to sup-*
7 *port the Highway Trust Fund.*

8 (C) *TERMS.*—*Members shall be appointed*
9 *for the life of the Commission.*

10 (D) *VACANCIES.*—*A vacancy on the Com-*
11 *mission shall be filled in the manner in which*
12 *the original appointment was made.*

13 (E) *TRAVEL EXPENSES.*—*Members shall*
14 *serve without pay but shall receive travel ex-*
15 *penditures, including per diem in lieu of subsistence,*
16 *in accordance with sections 5702 and 5703 of*
17 *title 5, United States Code.*

18 (F) *CHAIRMAN.*—*The Chairman of the*
19 *Commission shall be elected by the members.*

20 (6) *STAFF.*—

21 (A) *IN GENERAL.*—*The Commission may*
22 *engage the services of an appropriate organiza-*
23 *tion, agency, or firm to conduct the studies*
24 *under this subsection, but the Commission shall*
25 *provide strategic guidance for the studies.*

1 (B) *DETAIL STAFF.*—Upon request of the
2 Commission, the Secretary may detail, on a re-
3 imbursable basis, any of the personnel of the De-
4 partment of Transportation to the Commission
5 to assist the Commission in carrying out its du-
6 ties under this subsection.

7 (C) *COOPERATION.*—The Secretary shall co-
8 operate with the Commission in conducting the
9 studies under this subsection, including pro-
10 viding the Commission with such nonconfiden-
11 tial data and information as necessary for con-
12 ducting and completing the study.

13 (7) *ADMINISTRATIVE SUPPORT SERVICES.*—Upon
14 the request of the Commission, the Secretary shall
15 provide to the Commission, on a reimbursable basis,
16 the administrative support and services necessary for
17 the Commission to carry out its responsibilities under
18 this subsection.

19 (8) *REPORTS AND RECOMMENDATIONS.*—

20 (A) *REVENUE ACTIONS.*—Not later than
21 September 30, 2005, the Commission shall trans-
22 mit to Congress a report on revenue actions that
23 would support the requirements of section 1124.

24 (B) *ALTERNATIVE LONG-TERM SOURCES OF*
25 *REVENUE.*—Not later than September 30, 2006,

1 *the Commission shall transmit to Congress a re-*
2 *port on the results of the study conducted under*
3 *paragraph (1)(B), relating to alternative long-*
4 *term sources of revenue to support the Highway*
5 *Trust Fund, including recommendations to ad-*
6 *dress the needs identified in the study.*

7 (9) *TERMINATION.*—*The Commission shall ter-*
8 *minate on the 180th day following the date of trans-*
9 *mittal of the report under paragraph (8)(B). By such*
10 *180th day, the Commission shall deliver all records*
11 *and papers of the Commission to the Archivist of the*
12 *United States for deposit in the National Archives.*

13 (10) *AUTHORIZATION OF APPROPRIATIONS.*—
14 *There is authorized to be appropriated from the High-*
15 *way Trust Fund (other than the Mass Transit Ac-*
16 *count) \$1,500,000 for each of fiscal years 2005 and*
17 *2006 to carry out this subsection.*

18 (11) *APPLICABILITY OF TITLE 23.*—*Funds made*
19 *available to carry out this subsection shall be avail-*
20 *able for obligation in the same manner as if such*
21 *funds were apportioned under chapter 1 of title 23,*
22 *United States Code; except that the Federal share of*
23 *the cost of activities carried out under this subsection*
24 *shall be 100 percent, and such funds shall remain*
25 *available until expended.*

1 (b) *DECLARATION OF POLICY REGARDING FUTURE OF*
2 *THE INTERSTATE HIGHWAY SYSTEM STUDY.*—Section
3 *101(b) of title 23, United States Code, is amended by strik-*
4 *ing the last paragraph and inserting the following:*

5 *“It is further declared that it is in the national interest*
6 *to preserve and enhance the Dwight D. Eisenhower Na-*
7 *tional System of Interstate and Defense Highways to meet*
8 *the Nation’s needs for the 21st century. The current urban*
9 *and long distance personal travel and freight movement de-*
10 *mands have surpassed the vision of the original Interstate*
11 *System and travel demand patterns are expected to change.*
12 *Continued planning for and investment in the Interstate*
13 *System is critical to assure it adequately meets the chang-*
14 *ing travel demands of the future. Among the foremost needs*
15 *that the Interstate System must provide are safe, efficient,*
16 *and reliable (1) national and interregional personal mobil-*
17 *ity, (2) flow of interstate commerce, and (3) travel move-*
18 *ments essential for national security. To the maximum ex-*
19 *tent, actions under this title should address congestion, safe-*
20 *ty, and freight transportation to provide for a strong and*
21 *vigorous national economy. The Interstate System is hereby*
22 *declared to be the Nation’s premiere highway system, essen-*
23 *tial for the Nation’s economic vitality, national security,*
24 *and general welfare. The Secretary of Transportation is di-*
25 *rected to take appropriate actions to preserve and enhance*

1 *the Interstate System to meet the needs of the 21st century*
2 *in accordance with this title.”.*

3 (c) *NATIONAL COMMISSION ON FUTURE OF INTER-*
4 *STATE HIGHWAY SYSTEM.—*

5 (1) *ESTABLISHMENT.—There is established a*
6 *National Commission on the Future of the Dwight D.*
7 *Eisenhower National System of Interstate and De-*
8 *fense Highways (in this subsection referred to as the*
9 *“Interstate System”).*

10 (2) *FUNCTION.—The Commission shall—*

11 (A) *conduct a study of the current condition*
12 *and future of the Interstate System and develop*
13 *a conceptual plan with alternative approaches*
14 *for the future of the Interstate System to assure*
15 *that the Interstate System will continue to serve*
16 *the needs of the Nation;*

17 (B) *assure that State transportation agency*
18 *views are considered; and*

19 (C) *make specific recommendations regard-*
20 *ing those design standards, Federal policies, and*
21 *legislative changes that must be made to assure*
22 *the national interests are served in meeting fu-*
23 *ture Interstate System needs.*

1 (3) *SPECIFIC MATTERS TO BE ADDRESSED.*—*The*
2 *Commission shall assure that the study under this*
3 *subsection specifically addresses the following:*

4 (A) *CURRENT CONDITION.*—*The current*
5 *condition and performance of the Interstate Sys-*
6 *tem, including physical condition of bridges and*
7 *pavements and operational characteristics and*
8 *performance, shall be examined, relying pri-*
9 *marily on existing data sources.*

10 (B) *FUTURE ASSESSMENT.*—*The future of*
11 *the Interstate System, based on a range of legis-*
12 *lative and policy approaches for 15-, 30-, and*
13 *50-year horizons.*

14 (4) *SPECIFIC ISSUES AND DETAILS TO AD-*
15 *DRESS.*—*The following specific issues and details*
16 *shall be addressed as a part of the study under this*
17 *subsection:*

18 (A) *DEMOGRAPHICS.*—*Expected demo-*
19 *graphics and business uses that impact transpor-*
20 *tation.*

21 (B) *USAGE.*—*Expected system use and ef-*
22 *fects of changing vehicle types, fleet size and*
23 *weights, and traffic volumes.*

24 (C) *NATURAL DISASTER.*—*Seismic and*
25 *other vulnerabilities and their potential impacts.*

1 (D) *DESIGN STANDARDS.*—*Desirable design*
2 *policies and standards for future improvements,*
3 *including safety improvement and additional ac-*
4 *cess points.*

5 (E) *SYSTEM WIDE NEEDS.*—*Identification*
6 *of both urban and rural needs.*

7 (F) *POTENTIAL SYSTEM EXPANSION, UP-*
8 *GRADES, OR OTHER CHANGES.*—*Deployment of*
9 *advanced materials and intelligent technologies;*
10 *critical multi-state rural corridors needing ca-*
11 *capacity, safety, and operational enhancements;*
12 *urban and multi-state corridor additions; by-*
13 *passes of major cities that ensure efficient long-*
14 *haul travel; improvements to inter-modal link-*
15 *ages; strategies to enhance asset preservation;*
16 *and implementation strategies.*

17 (G) *COMMUNITY VALUES.*—*Consideration of*
18 *alternative approaches to maintaining or en-*
19 *hancing community values in those neighbor-*
20 *hoods adjacent to the Interstate System.*

21 (H) *ENVIRONMENTAL ISSUES.*—*Consider-*
22 *ation of alternative approaches to addressing en-*
23 *vironmental concerns relative to recommended*
24 *alternatives.*

1 (I) *SYSTEM PERFORMANCE.*—*Evaluation*
2 *and assessment of the current and future capa-*
3 *bilities for conducting system-wide real-time per-*
4 *formance data collection and analysis, traffic*
5 *monitoring, system operations and management.*

6 (5) *ALTERNATIVES.*—*A range of policy rec-*
7 *ommendations shall be developed as a part of the plan*
8 *under this subsection to address identified future*
9 *needs of the Interstate System. The alternatives shall*
10 *include funding needs and potential approaches to*
11 *provide those funds.*

12 (6) *MEMBERSHIP.*—

13 (A) *COMPOSITION.*—*The Commission shall*
14 *be composed of nine members of whom—*

15 (i) *three members shall be appointed*
16 *by the Secretary;*

17 (ii) *two members shall be appointed by*
18 *the Speaker of the House of Representatives;*

19 (iii) *one member shall be appointed by*
20 *the minority leader of the House of Rep-*
21 *resentatives;*

22 (iv) *two members shall be appointed by*
23 *the majority leader of the Senate; and*

24 (v) *one member shall be appointed by*
25 *the minority leader of the Senate.*

1 (B) *QUALIFICATIONS.*—Members appointed
2 under subparagraph (A) shall be appointed from
3 among individuals that have a concern for
4 maintaining a strong role for the Interstate Sys-
5 tem in the future of the Nation and may include
6 representatives from Federal, State, and local
7 governments, other transportation authorities or
8 agencies, and organizations representing surface
9 transportation owners and operators.

10 (C) *TERMS.*—Members shall be appointed
11 for the life of the Commission.

12 (D) *VACANCIES.*—A vacancy in the Com-
13 mission shall be filled in the manner in which
14 the original appointment was made.

15 (E) *TRAVEL EXPENSES.*—Member shall
16 serve without pay but shall receive travel ex-
17 penses, including per diem in lieu of subsistence,
18 in accordance with sections 5702 and 5703 of
19 title 5, United States Code.

20 (F) *CHAIRMAN.*—The Chairman of the
21 Commission shall be elected by the members.

22 (7) *STAFF.*—

23 (A) *IN GENERAL.*—The Commission may
24 engage the services of an appropriate organiza-
25 tion, agency, or firm to conduct the study under

1 *this subsection, but the Commission shall provide*
2 *strategic guidance for the study.*

3 *(B) DETAIL STAFF.—Upon request of the*
4 *Commission, the Secretary may detail, on a re-*
5 *imbursable basis, any of the personnel of the De-*
6 *partment of Transportation to the Commission*
7 *to assist the Commission in carrying out its du-*
8 *ties under this subsection.*

9 *(C) COOPERATION.—The Secretary shall co-*
10 *operate with the Commission in the study, in-*
11 *cluding providing the Commission with such*
12 *nonconfidential data and information as nec-*
13 *essary for conducting and completing the study.*

14 *(8) ADMINISTRATIVE SUPPORT SERVICES.—Upon*
15 *the request of the Commission, the Secretary shall*
16 *provide to the Commission, on a reimbursable basis,*
17 *the administrative support and services necessary for*
18 *the Commission to carry out its responsibilities under*
19 *this subsection.*

20 *(9) REPORT AND RECOMMENDATIONS.—Not later*
21 *than September 30, 2006, the Commission shall trans-*
22 *mit to Congress a final report on the results of the*
23 *study conducted under this subsection, including rec-*
24 *ommendations to address the needs identified in the*
25 *study.*

1 (10) *TERMINATION.*—*The Commission shall terminate on the 180th day following the date of transmittal of the report under paragraph (9). By such*
2
3
4
5
6
7 180th day, the Commission shall deliver all records and papers of the Commission to the Archivist of the United States for deposit in the National Archives.

8 (11) *AUTHORIZATION OF APPROPRIATIONS.*—
9
10 *There is authorized to be appropriated from the Highway Trust Funds (other than the Mass Transit Account) to carry out this subsection \$1,000,000 for each*
11
12 *of fiscal years 2005 and 2006.*

13 (12) *APPLICABILITY OF TITLE 23, UNITED STATES CODE.*—*Funds authorized to be appropriated by this section shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code; except that the Federal share of the cost of activities carried out under this subsection shall be 100 percent and such funds shall remain available until expended.*

20 **SEC. 1123. ADJUSTMENTS FOR THE SURFACE TRANSPORTATION EXTENSION ACT OF 2004, PART V.**

21
22 *[Reserved]*

23 **SEC. 1124. ROADWAY SAFETY.**

24 (a) *ROAD SAFETY.*—

1 (1) *IN GENERAL.*—*The Secretary shall enter into*
2 *an agreement to assist in the activities of a national*
3 *nonprofit organization that is dedicated solely to im-*
4 *proving public road safety—*

5 (A) *by improving the quality of data per-*
6 *taining to public road hazards and design fea-*
7 *tures that affect or increase the severity of motor*
8 *vehicle crashes;*

9 (B) *by developing and carrying out a pub-*
10 *lic awareness campaign to educate State and*
11 *local transportation officials, public safety offi-*
12 *cials, and motorists regarding the extent to*
13 *which public road hazards and design features*
14 *are a factor in motor vehicle crashes; and*

15 (C) *by promoting public road safety re-*
16 *search and technology transfer activities.*

17 (2) *FUNDING.*—*There is authorized to be appro-*
18 *priated from the Highway Trust Fund (other than*
19 *the Mass Transit Account) \$500,000 for each of fiscal*
20 *years 2005 through 2009 to carry out this subsection.*

21 (3) *APPLICABILITY OF TITLE 23.*—*Funds made*
22 *available by this subsection shall be available for obli-*
23 *gation in the same manner as if such funds were ap-*
24 *portioned under chapter 1 of title 23, United States*

1 Code, except that the funds shall remain available
2 until expended.

3 **(b) BICYCLE AND PEDESTRIAN SAFETY GRANTS.**—

4 (1) *IN GENERAL.*—The Secretary shall make
5 grants to a national, not-for-profit organization en-
6 gaged in promoting bicycle and pedestrian safety—

7 (A) to operate a national bicycle and pedes-
8 trian clearinghouse;

9 (B) to develop information and educational
10 programs; and

11 (C) to disseminate techniques and strategies
12 for improving bicycle and pedestrian safety.

13 (2) *FUNDING.*—There is authorized to be appro-
14 priated from the Highway Trust Fund (other than
15 the Mass Transit Account) \$500,000 for each of fiscal
16 years 2004 through 2009 to carry out this subsection.

17 (3) *APPLICABILITY OF TITLE 23.*—Funds made
18 available by this subsection shall be available for obli-
19 gation in the same manner as if such funds were ap-
20 portioned under chapter 1 of title 23, United States
21 Code, except that the funds shall remain available
22 until expended.

23 **SEC. 1125. EQUITY REQUIREMENT.**

24 (a) *GENERAL PROVISIONS.*—The Secretary may not
25 apportion before August 1, 2006, any funds for any of the

1 *programs referred to in subsection (b) for fiscal year 2006*
2 *unless, after the date of enactment of this Act, a law has*
3 *been enacted that—*

4 *(1) increases the guaranteed rate of return pur-*
5 *suant to section 105 of title 23, United States Code,*
6 *to 92 percent in fiscal year 2006, 93 percent in fiscal*
7 *year 2007, 94 percent in fiscal year 2008, and 95*
8 *percent in fiscal year 2009; and*

9 *(2) requires that each State receive apporportion-*
10 *ments for such programs for each of such fiscal years*
11 *that in the aggregate are at least equal to the greater*
12 *of—*

13 *(A) the State's minimum guaranteed rate of*
14 *return required under paragraph (1); and*

15 *(B) the State's prior fiscal year's apporportion-*
16 *tioned highway funds for programs referred in*
17 *subsection (b) plus an amount equal to the*
18 *State's prior year apporportioned funds for such*
19 *programs multiplied by the percentage increase*
20 *in the consumer price index during the 12-month*
21 *period ending June 30 of the calendar year in*
22 *which the fiscal year begins.*

23 *(b) APPLICABILITY.—The withholding of apporportioned*
24 *funds under subsection (a) shall apply to the following pro-*
25 *grams:*

1 (1) *The National Highway System program*
2 *under section 103(b) of title 23, United States Code.*

3 (2) *The high priority projects program under*
4 *section 117 of such title.*

5 (3) *The Interstate maintenance program under*
6 *section 119 of such title.*

7 (4) *The surface transportation program under*
8 *section 133 of such title.*

9 (5) *Metropolitan planning under chapter 52 of*
10 *title 49, United States Code.*

11 (6) *The highway bridge replacement and reha-*
12 *bilitation program under section 144 of title 23,*
13 *United States Code.*

14 (7) *The congestion mitigation and air quality*
15 *improvement program under section 149 of such title.*

16 (8) *The recreational trails program under sec-*
17 *tion 206 of such title.*

18 (9) *The Appalachian development highway sys-*
19 *tem under subtitle IV of title 40, United States Code.*

20 (10) *The freight intermodal connectors program*
21 *under section 1303 of this Act.*

22 (11) *The coordinated border infrastructure pro-*
23 *gram under section 1302 of this Act.*

24 (12) *The high risk rural road safety improve-*
25 *ment program under section 1403 of this Act.*

1 (13) *The safe routes to schools program under*
 2 *section 1120 of this Act.*

3 (14) *The minimum guarantee program under*
 4 *section 105 of title 23, United States Code.*

5 (c) *CONSIDERATION OF COMMISSION FINDINGS.—In*
 6 *considering a law that increases the guaranteed rate of re-*
 7 *turn referred to in subsection (a), Congress should consider*
 8 *the findings of the report on alternative short-term sources*
 9 *of Highway Trust Fund revenue to be published by the Na-*
 10 *tional Commission on Future Revenue Sources to Support*
 11 *the Highway Trust Fund pursuant to section 1121 of this*
 12 *Act.*

13 ***Subtitle B—Congestion Relief***

14 ***SEC. 1201. MOTOR VEHICLE CONGESTION RELIEF.***

15 (a) *IN GENERAL.—Title 23, United States Code, is*
 16 *amended by inserting after section 138 the following:*

17 ***“§ 139. Motor vehicle congestion relief***

18 “(a) *IN GENERAL.—Each State that has an urbanized*
 19 *area with an urbanized area population of over 200,000*
 20 *individuals shall obligate in each of fiscal years 2005*
 21 *through 2009 a portion of the State’s apportionments under*
 22 *section 104(b) in such fiscal year, as calculated under sub-*
 23 *section (b), for congestion relief activities in such urbanized*
 24 *areas in accordance with this section.*

1 “(b) *CALCULATION OF AMOUNT.*—*The portion of a*
2 *State’s apportionments for a fiscal year to be obligated for*
3 *congestion relief activities under subsection (a) shall be de-*
4 *termined by multiplying—*

5 “(1) *the total of amounts apportioned to the*
6 *State under each of paragraphs (1), (2), (3), and (4)*
7 *of section 104(b) in such fiscal year; by*

8 “(2) *10 percent; by*

9 “(3) *the percentage of the State’s population re-*
10 *siding in urbanized areas of the State with an urban-*
11 *ized area population of over 200,000 individuals.*

12 “(c) *ALLOCATION BETWEEN UNDER ONE AND UNDER*
13 *THREE CONGESTION RELIEF ACTIVITIES.*—*Of the total*
14 *amount of a State’s apportionments to be obligated for con-*
15 *gestion relief activities for a fiscal year as calculated under*
16 *subsection (b)—*

17 “(1) *40 percent shall be obligated for under one*
18 *congestion relief activities;*

19 “(2) *35 percent shall be obligated for under three*
20 *congestion relief activities; and*

21 “(3) *25 percent shall be obligated at the discre-*
22 *tion of the State department of transportation for 1*
23 *or more of the following:*

24 “(A) *Under one congestion relief activities.*

25 “(B) *Under three congestion relief activities.*

1 “(C) Capital costs for transit projects that
2 are eligible for assistance under chapter 53 of
3 title 49.

4 “(D) Demand relief projects and activities
5 that shift demand to non-peak hours or to other
6 modes of transportation or that reduce the over-
7 all level of demand for roads through such means
8 as telecommuting, ridesharing, alternative work
9 hour programs, and value pricing.

10 “(d) OBLIGATION OF AMOUNTS.—

11 “(1) IN GENERAL.—In complying with the re-
12 quirements of this section, the amounts obligated by
13 a State for congestion relief activities under sub-
14 section (a) shall be allocated among the individual
15 programs for which funds are apportioned under sec-
16 tions 104(b)(1), 104(b)(2), 104(b)(3), and 104(b)(4).

17 “(2) LIMITATION ON STATUTORY CONSTRU-
18 TION.—Nothing in this subsection shall be construed
19 as requiring a State to obligate proportional or equal
20 amounts under sections 104(b)(1), 104(b)(2),
21 104(b)(3), and 104(b)(4) for any congestion relief ac-
22 tivity under this section.

23 “(e) LIMITATION ON STATUTORY CONSTRUCTION.—

24 Nothing in this section shall be construed as altering or oth-
25 erwise affecting the applicability of the requirements of this

1 *chapter (including requirements relating to the eligibility*
2 *of a project for assistance under the program, the location*
3 *of the project, and the Federal-share payable on account of*
4 *the project) to amounts apportioned to a State for a pro-*
5 *gram under section 104(b) that are obligated by the State*
6 *for congestion relief activities under subsection (a).*

7 “(f) *JOINT RESPONSIBILITY.*—*Each State, each af-*
8 *fectured metropolitan planning organization, and the Sec-*
9 *retary shall jointly ensure compliance with this section.*

10 “(g) *TRANSFERS.*—

11 “(1) *IN GENERAL.*—*A State may transfer a por-*
12 *tion of the amount that the State must obligate for*
13 *under one congestion relief activities in a fiscal year*
14 *under this section to the amount the State must obli-*
15 *gate for under three congestion relief activities under*
16 *this section if the State certifies to the Secretary that*
17 *there are no under one congestion relief activities for*
18 *which such portion can be obligated in such fiscal*
19 *year and the Secretary does not disapprove such*
20 *transfer within 30 days after the date of such certifi-*
21 *cation.*

22 “(2) *LIMITATION.*—*The amount that a State*
23 *may transfer in a fiscal year under this subsection*
24 *may not reduce the amount the State must obligate*
25 *for under one congestion relief activities to less than*

1 *10 percent of the total amount of the State’s appor-*
2 *tionments to be obligated for congestion relief activi-*
3 *ties for such fiscal year as calculated under subsection*
4 *(b).*

5 “(3) *TREATMENT.*—*Amounts transferred by a*
6 *State under this subsection for a fiscal year shall be*
7 *included in the amount of the State’s apportionments*
8 *allocated for under three congestion relief activities*
9 *for such fiscal year under subsection (c)(2).*

10 “(h) *DEFINITIONS.*—*In this section, the following defi-*
11 *initions apply:*

12 “(1) *CONGESTION RELIEF ACTIVITIES.*—

13 “(A) *IN GENERAL.*—*The term ‘congestion*
14 *relief activity’ means any activity, project, or*
15 *program that has as its primary purpose, as de-*
16 *termined by the State transportation depart-*
17 *ment, the relief of motor vehicle congestion.*

18 “(B) *INCLUSIONS.*—*Such term includes the*
19 *following:*

20 “(i) *Relief of motor vehicle congestion*
21 *through additional capacity, construction of*
22 *additional lanes, improvements to inter-*
23 *changes, improved access to major termi-*
24 *nals, construction of parallel roads, con-*

1 *struction of truck only lanes, and major ar-*
2 *terial improvements.*

3 *“(ii) Transportation systemwide oper-*
4 *ational improvements targeted at increasing*
5 *motor vehicle travel reliability through such*
6 *means as incident management programs,*
7 *traffic monitoring and surveillance, and*
8 *traveler information initiatives.*

9 *“(iii) Maximizing efficient use of exist-*
10 *ing motor vehicle travel capacity through*
11 *such means as reversible lanes, coordinated*
12 *traffic signalization, and managed lanes or*
13 *other lane management strategies.*

14 *“(C) EXCLUSIONS.—Such term does not in-*
15 *clude demand relief projects and activities that*
16 *shift demand to non-peak hours or to other*
17 *modes of transportation or that reduce the over-*
18 *all level of demand for roads through such means*
19 *as telecommuting, ridesharing, alternative work*
20 *hour programs, and value pricing.*

21 *“(2) UNDER ONE CONGESTION RELIEF ACTIVI-*
22 *TIES.—The term ‘under one congestion relief activity’*
23 *means a congestion relief activity that—*

1 “(A) will be completed within one year after
2 the date of commencement of onsite improve-
3 ments;

4 “(B) has a total projected cost of less than
5 \$1,000,000; and

6 “(C) will improve conditions in the appli-
7 cable urbanized area or is an element of the con-
8 gestion management system of the applicable
9 metropolitan planning organization.

10 “(3) UNDER THREE CONGESTION RELIEF ACTIVI-
11 TIES.—The term ‘under three congestion relief activi-
12 ties’ means congestion relief activities that—

13 “(A) will be completed within 3 years after
14 the date of commencement of onsite improve-
15 ments; and

16 “(B) will improve conditions in the appli-
17 cable urbanized area or is an element of the con-
18 gestion management system of the applicable
19 metropolitan planning organization.”.

20 (b) CONFORMING AMENDMENT.—The analysis for
21 chapter I of such title is amended by inserting after the
22 item relating to section 138 the following:

 “139. Motor vehicle congestion relief.”.

23 (c) MOTOR VEHICLE DEFINED.—Title 23, United
24 States Code, is amended—

1 (1) *in section 154(a)(2), relating to the defini-*
2 *tion of motor vehicle, by inserting “streets, roads,*
3 *and” before “highways”;*

4 (2) *by redesignating paragraph (2) of section*
5 *154(a) as paragraph (38);*

6 (3) *by moving such redesignated paragraph from*
7 *section 154(a) to the end of section 101(a);*

8 (4) *by redesignating paragraphs (3) and (4) of*
9 *section 154(a) as paragraphs (2) and (3), respec-*
10 *tively;*

11 (5) *in section 153(i)—*

12 (A) *by striking paragraph (2); and*

13 (B) *by redesignating paragraphs (3) and*
14 *(4) as paragraphs (2) and (3), respectively;*

15 (6) *in section 164(a)(4) by striking “means” and*
16 *all that follows through “rail line or” and inserting*
17 *“does not include”; and*

18 (7) *in section 405(f)—*

19 (A) *by striking paragraph (2); and*

20 (B) *by redesignating paragraphs (3), (4),*
21 *(5), and (6) as paragraphs (2), (3), (4), and (5).*

22 **SEC. 1202. TRANSPORTATION SYSTEMS MANAGEMENT AND**
23 **OPERATIONS.**

24 (a) **DEFINITIONS.—**

1 (1) *OPERATING COSTS FOR TRAFFIC MONI-*
2 *TORING, MANAGEMENT, AND CONTROL.*—Section
3 *101(a)(17) of title 23, United States Code, is amended*
4 *by inserting “transportation systems management*
5 *and operations and” after “associated with”.*

6 (2) *OPERATIONAL IMPROVEMENT.*—Section
7 *101(a)(18)(A)(i) of such title is amended—*

8 (A) *by inserting “transportation systems*
9 *management and operations, including” after*
10 *“for”; and*

11 (B) *by inserting “equipment and programs*
12 *for transportation response to natural disasters,”*
13 *after “incident management programs,”.*

14 (3) *TRANSPORTATION SYSTEMS MANAGEMENT*
15 *AND OPERATIONS.*—Section *101(a) of such title is fur-*
16 *ther amended by adding at the end the following:*

17 “(39) *TRANSPORTATION SYSTEMS MANAGEMENT*
18 *AND OPERATIONS.*—

19 “(A) *IN GENERAL.*—*The term ‘transport-*
20 *ation systems management and operations’*
21 *means an integrated program to optimize the*
22 *performance of existing infrastructure through*
23 *the implementation of multimodal and inter-*
24 *modal, cross-jurisdictional systems, services, and*
25 *projects designed to preserve capacity and im-*

1 *prove the security, safety, and reliability of Fed-*
2 *eral-aid highways.*

3 “(B) *INCLUDED ACTIVITIES AND IMPROVE-*
4 *MENTS.—The term includes regional operations*
5 *collaboration and coordination activities between*
6 *transportation and public safety agencies and*
7 *improvements such as traffic detection and sur-*
8 *veillance, arterial management, freeway manage-*
9 *ment, demand management, work zone manage-*
10 *ment, emergency management, electronic toll col-*
11 *lection, automated enforcement, traffic oper-*
12 *ations measures to improve capacity, traffic sig-*
13 *nal coordination, optimization of traffic signal*
14 *timing, traffic incident management, commu-*
15 *nications equipment related to traffic incident*
16 *management (including integrated, interoper-*
17 *able, emergency communications equipment),*
18 *roadway weather management, traveler informa-*
19 *tion services, commercial vehicle operations, traf-*
20 *fic control, freight management, and coordina-*
21 *tion of highway, rail, transit, bicycle, and pedes-*
22 *trian operations.”.*

23 (b) *SURFACE TRANSPORTATION PROGRAM ELIGI-*
24 *BILITY.—Section 133(b) of such title is amended—*

1 (1) *by redesignating paragraphs (13) and (14)*
2 *as paragraphs (12) and (13), respectively; and*

3 (2) *by adding at the end the following:*

4 “(14) *Regional transportation operations col-*
5 *laboration and coordination activities that are associ-*
6 *ated with regional improvements, including activities*
7 *for traffic incident management, technology deploy-*
8 *ment, emergency management and response, traveler*
9 *information, and regional congestion relief.”.*

10 (c) *NATIONAL HIGHWAY SYSTEM ELIGIBILITY.*—*Sec-*
11 *tion 103(b)(6) of such title is amended by adding at the*
12 *end the following:*

13 “(Q) *Capital, operating, and systems main-*
14 *tenance costs for transportation systems manage-*
15 *ment and operations.”.*

16 (d) *TRANSPORTATION SYSTEMS MANAGEMENT AND*
17 *OPERATIONS.*—*Subchapter I of chapter 1 of such title is*
18 *further amended by adding at the end the following:*

19 “**§ 166. Transportation systems management and oper-**
20 **ations**

21 “(a) *AUTHORITY.*—*The Secretary may—*

22 “(1) *encourage transportation system managers,*
23 *operators, public safety officials, and transportation*
24 *planners within an urbanized area, who are actively*
25 *engaged in and responsible for conducting activities*

1 *relating to day-to-day management, operations, pub-*
2 *lic safety, and planning of transportation facilities*
3 *and services, to collaborate and coordinate on a re-*
4 *gional level in a continuous and sustained manner*
5 *for improved transportation systems management and*
6 *operations, including, at a minimum—*

7 *“(A) developing a regional concept of oper-*
8 *ations that defines a regional strategy shared by*
9 *all transportation and public safety participants*
10 *for how the region’s systems should be managed,*
11 *operated, and measured;*

12 *“(B) sharing of information among opera-*
13 *tors, service providers, public safety officials, and*
14 *the general public; and*

15 *“(C) guiding, in a regionally-coordinated*
16 *manner, the implementation of regional trans-*
17 *portation system management and operations*
18 *initiatives, including emergency evacuation and*
19 *response, traffic incident management, tech-*
20 *nology deployment, and traveler information sys-*
21 *tems delivery, in a manner consistent with and*
22 *integrated into the ongoing metropolitan and*
23 *statewide transportation planning processes and*
24 *regional intelligent transportation system archi-*
25 *tecture, if required; and*

1 “(2) encourage States to establish a system of
2 basic real-time monitoring capability for the surface
3 transportation system and provide the capability and
4 means to share that data among agencies (including
5 highway, transit, and public safety agencies), juris-
6 dictions (including States, cities, counties, and areas
7 represented by metropolitan planning organizations),
8 private-sector entities, and the traveling public.

9 “(b) EXECUTION.—To support the successful execution
10 of transportation systems management and operations ac-
11 tivities, the Secretary may undertake the following activi-
12 ties:

13 “(1) Assist and cooperate with other Federal de-
14 partments and agencies, State and local governments,
15 metropolitan planning organizations, private indus-
16 try representatives, and other interested parties to im-
17 prove regional collaboration and real-time informa-
18 tion sharing between transportation system managers
19 and operators, public safety officials, emergency man-
20 agers, and the general public to increase the security,
21 safety, and reliability of Federal-aid highways.

22 “(2) Issue, if necessary, new guidance or regula-
23 tions for the procurement of transportation system
24 management and operations facilities, equipment,
25 and services, including equipment procured in prepa-

1 *ration for natural disasters and emergencies, system*
2 *hardware, software, and software integration serv-*
3 *ices.”.*

4 *(e) CONFORMING AMENDMENT.—The analysis for such*
5 *chapter is further amended by adding at the end the fol-*
6 *lowing:*

“166. Transportation systems management and operations.”.

7 *(f) INTELLIGENT TRANSPORTATION SYSTEM PROCURE-*
8 *MENT POLICY.—*

9 *(1) STUDY.—The Secretary shall—*

10 *(A) conduct a study of the current policies*
11 *and practices for the procurement of intelligent*
12 *transportation system facilities, equipment, and*
13 *services; and*

14 *(B) develop a conceptual plan with alter-*
15 *native approaches for expediting and stream-*
16 *lining such procurements at the State level.*

17 *(2) RECOMMENDATIONS.—Based on the results of*
18 *the study, the Secretary shall make recommendations*
19 *in the report under paragraph (4) regarding procure-*
20 *ment standards, including recommendations regard-*
21 *ing any changes in Federal and State statutes, regu-*
22 *lations, and policies necessary to ensure that national*
23 *interests are served in meeting future intelligent*
24 *transportation system needs.*

1 (3) *SPECIFIC MATTERS TO BE ADDRESSED.*—*The*
2 *study under this subsection shall specifically address*
3 *the following:*

4 (A) *CURRENT CONDITION.*—*The current*
5 *practices and policies relating to procurement of*
6 *intelligent transportation system facilities,*
7 *equipment, and services, including equipment*
8 *procured in preparation for natural disasters*
9 *and emergencies, system hardware, software, and*
10 *software integration services.*

11 (B) *ASSESSMENT OF NEED FOR POLICY RE-*
12 *FORM.*—*The ability of current practices and*
13 *policies to achieve the successful implementation*
14 *of intelligent transportation system goals and the*
15 *need for national policy reform to expedite and*
16 *streamline procurements necessary to meet such*
17 *goals.*

18 (C) *ALTERNATIVES.*—*The range of legisla-*
19 *tive, regulatory, and policy alternatives to ad-*
20 *dress identified needs and goals, including fund-*
21 *ing needs.*

22 (D) *RECOMMENDATIONS.*—*Recommendations*
23 *regarding procurement standards, includ-*
24 *ing recommendations regarding any changes in*
25 *Federal and State statutes, regulations, and poli-*

1 *cies necessary for expedited and streamlined pro-*
2 *cedures.*

3 (4) *REPORT AND RECOMMENDATIONS.*—*Not later*
4 *than March 31, 2006, the Secretary shall transmit to*
5 *the appropriate committees of Congress a final report*
6 *regarding the results of the study conducted under*
7 *this subsection and recommendations to address the*
8 *needs identified in such study.*

9 (5) *INITIATION OF RULEMAKING PROCEEDING.*—
10 *To the extent any recommendation made by the Sec-*
11 *retary under this subsection may be implemented by*
12 *regulation, the Secretary shall initiate a rulemaking*
13 *proceeding to address such recommendation not later*
14 *than the 90th day following the date of submission of*
15 *the report under paragraph (4).*

16 (6) *AUTHORIZATION OF APPROPRIATIONS.*—
17 *There is authorized to be appropriated from the High-*
18 *way Trust Fund (other than the Mass Transit Ac-*
19 *count) \$1,000,000 in fiscal year 2005 to carry out*
20 *this subsection.*

21 (7) *APPLICABILITY OF TITLE 23.*—*Funds made*
22 *available to carry out this subsection shall be avail-*
23 *able for obligation in the same manner as if such*
24 *funds were apportioned under chapter 1 of title 23,*
25 *United States Code; except that the Federal share of*

1 *the cost of the study under this subsection shall be 100*
2 *percent and such funds shall remain available until*
3 *expended.*

4 **SEC. 1203. REAL-TIME SYSTEM MANAGEMENT INFORMA-**
5 **TION PROGRAM.**

6 *(a) ESTABLISHMENT.—*

7 *(1) IN GENERAL.—The Secretary shall establish*
8 *a real-time system management information program*
9 *to provide, in all States, the capability to monitor, in*
10 *real-time, the traffic and travel conditions of the Na-*
11 *tion’s major highways and to share that information*
12 *to improve the security of the surface transportation*
13 *system, to address congestion problems, to support im-*
14 *proved response to weather events and surface trans-*
15 *portation incidents, and to facilitate national and re-*
16 *gional highway traveler information.*

17 *(2) PURPOSES.—The purposes of the real-time*
18 *system management information program are to—*

19 *(A) establish, in all States, a system of*
20 *basic real-time information for managing and*
21 *operating the surface transportation system;*

22 *(B) identify longer range real-time highway*
23 *and transit monitoring needs and develop plans*
24 *and strategies for meeting such needs; and*

1 (C) provide the capability and means to
2 share that data with State and local govern-
3 ments and the traveling public.

4 (b) NATIONAL STEERING COMMITTEE.—

5 (1) IN GENERAL.—The Secretary shall establish
6 a national steering committee to assist in the develop-
7 ment of data exchange formats under subsection (c).

8 (2) REPRESENTATIVES.—The national steering
9 committee shall consist of representatives of State
10 transportation departments, metropolitan planning
11 organizations, local governments, nonprofit entities,
12 the private sector, and academia.

13 (3) PURPOSE.—The purpose of the national
14 steering committee shall be to provide guidance re-
15 garding the content and uniformity of data exchange
16 formats.

17 (c) DATA EXCHANGE FORMATS.—Not later than 2
18 years after the date of enactment of this Act, the Secretary
19 shall establish data exchange formats based on recommenda-
20 tions of the steering committee established under subsection
21 (b) to ensure that the data provided by highway and transit
22 monitoring systems, including statewide incident reporting
23 systems, can readily be exchanged across jurisdictional
24 boundaries, facilitating nationwide availability of informa-
25 tion.

1 (d) *REGIONAL INTELLIGENT TRANSPORTATION SYS-*
2 *TEM ARCHITECTURE.*—

3 (1) *ADDRESSING INFORMATION NEEDS.*—As
4 *State and local governments develop or update re-*
5 *gional intelligent transportation system architectures,*
6 *described in section 940.9 of title 23, Code of Federal*
7 *Regulations, such governments shall explicitly address*
8 *real-time highway and transit information needs and*
9 *the systems needed to meet such needs, including ad-*
10 *dresssing coverage, monitoring systems, data fusion*
11 *and archiving, and methods of exchanging or sharing*
12 *highway and transit information.*

13 (2) *DATA EXCHANGE.*—States shall incorporate
14 *the data exchange formats established by the Sec-*
15 *retary under subsection (c) to ensure that the data*
16 *provided by highway and transit monitoring systems*
17 *may readily be exchanged with State and local gov-*
18 *ernments and may be made available to the traveling*
19 *public.*

20 (e) *ELIGIBILITY.*—Subject to project approval by the
21 *Secretary, a State may obligate funds apportioned to the*
22 *State under sections 104(b)(1), 104(b)(2), and 104(b)(3) of*
23 *title 23, United States Code, for activities related to the*
24 *planning and deployment of real-time monitoring elements*

1 *that advance the goals and purposes described in subsection*
2 *(a).*

3 *(f) LIMITATION ON STATUTORY CONSTRUCTION.—*
4 *Nothing in this section shall be construed as altering or oth-*
5 *erwise affecting the applicability of the requirements of*
6 *chapter 1 of title 23, United States Code (including require-*
7 *ments relating to the eligibility of a project for assistance*
8 *under the program, the location of the project, and the Fed-*
9 *eral-share payable on account of the project), to amounts*
10 *apportioned to a State for a program under section 104(b)*
11 *that are obligated by the State for activities and projects*
12 *under this section.*

13 *(g) STATEWIDE INCIDENT REPORTING SYSTEM DE-*
14 *FINED.—In this section, the term “statewide incident re-*
15 *porting system” means a statewide system for facilitating*
16 *the real-time electronic reporting of surface transportation*
17 *incidents to a central location for use in monitoring the*
18 *event, providing accurate traveler information, and re-*
19 *sponding to the incident as appropriate.*

20 **SEC. 1204. EXPEDITED NATIONAL INTELLIGENT TRANSPOR-**
21 **TATION SYSTEMS DEPLOYMENT PROGRAM.**

22 *(a) ESTABLISHMENT.—The Secretary shall establish a*
23 *comprehensive program to accelerate the integration, inter-*
24 *operability, and deployment of intelligent transportation*

1 *systems in order to improve the performance of the surface*
2 *transportation system in metropolitan and rural areas.*

3 **(b) SELECTION OF MODEL PROJECTS.**—*Under the*
4 *program, the Secretary may make grants, through competi-*
5 *tive solicitation, for projects that will serve as models to*
6 *improve transportation efficiency, promote surface trans-*
7 *portation safety (including safe freight movement), increase*
8 *traffic flow (including the flow of intermodal travel at ports*
9 *of entry), reduce emissions of air pollutants, improve trav-*
10 *eler information, enhance alternative transportation modes,*
11 *build on existing intelligent transportation system projects,*
12 *and promote tourism.*

13 **(c) OTHER PROJECTS, PROGRAMS, AND ACTIVITIES.**—
14 *Under the program, the Secretary may make grants for*
15 *projects, programs, and activities in metropolitan and*
16 *rural areas that—*

17 **(1)** *contribute to national deployment goals and*
18 *objectives outlined in the national intelligent trans-*
19 *portation system program plan;*

20 **(2)** *promote cooperation among agencies, juris-*
21 *dictions, and the private sector, as evidenced by*
22 *signed memoranda of understanding that clearly de-*
23 *fine the responsibilities and relations of all parties to*
24 *a partnership arrangement, including institutional*

1 *relationships and financial agreements needed to sup-*
2 *port deployment of intelligent transportation systems;*

3 *(3) encourage private sector involvement and fi-*
4 *nancial commitment to such deployment to the max-*
5 *imum extent practicable through innovative financial*
6 *arrangements, especially public-private partnerships,*
7 *including arrangements that generate revenue to offset*
8 *public investment costs;*

9 *(4) enhance fully integrated intelligent transpor-*
10 *tation system deployment;*

11 *(5) create technical capacity for effective oper-*
12 *ations and maintenance of such systems;*

13 *(6) improve safety, mobility, geographic and re-*
14 *gional diversity, and economic development in de-*
15 *ployment of such systems;*

16 *(7) advance deployment of the 511 traveler infor-*
17 *mation program; and*

18 *(8) advance deployment of other national sys-*
19 *tems, including a statewide incident reporting system,*
20 *wireless e-911 system, and road weather information*
21 *system.*

22 *(d) APPLICABILITY OF TITLE 23, UNITED STATES*
23 *CODE.—Funds authorized to be appropriated under section*
24 *1101(a)(16) of this Act shall be available for obligation to*
25 *carry out subsection (c)(7) in the same manner and to the*

1 *same extent as if such funds were apportioned under chap-*
2 *ter 1 of title 23, United States Code; except that the Federal*
3 *share of the cost of projects carried out under subsection*
4 *(c)(7) shall be 80 percent and such funds shall remain*
5 *available until expended.*

6 **SEC. 1205. INTELLIGENT TRANSPORTATION SYSTEMS DE-**
7 **PLOYMENT.**

8 (a) *PURPOSE.*—*The purpose of this section is to ensure*
9 *that a minimum of \$2,500,000,000 of the amounts author-*
10 *ized to be appropriated for the National Highway System,*
11 *Interstate maintenance, surface transportation, and conges-*
12 *tion mitigation and air quality improvement programs for*
13 *fiscal years 2005 through 2009 is utilized to expand deploy-*
14 *ment of intelligent transportation systems.*

15 (b) *IN GENERAL.*—*Chapter 1 of title 23, United States*
16 *Code, is amended by inserting after section 149 the fol-*
17 *lowing:*

18 **“§ 150. Deployment of intelligent transportation sys-**
19 **tems**

20 *“(a) IN GENERAL.—In each of fiscal years 2005*
21 *through 2009, each State shall obligate a portion of the*
22 *funds apportioned to the State under sections 104(b)(1),*
23 *104(b)(2), 104(b)(3), and 104(b)(4) for such fiscal year, cal-*
24 *culated under subsection (b), for projects described in sub-*

1 *section (c) that support deployment of intelligent transpor-*
2 *tation systems in the State.*

3 “(b) *CALCULATION OF AMOUNT.*—*The portion of a*
4 *State’s apportionments to be obligated under subsection (a)*
5 *for projects described in subsection (c) in a fiscal year shall*
6 *be determined by multiplying \$500,000,000 by the ratio*
7 *that—*

8 “(1) *the aggregate of amounts apportioned to the*
9 *State for such fiscal year under sections 104(b)(1),*
10 *104(b)(2), 104(b)(3), and 104(b)(4); bears to*

11 “(2) *the aggregate of amounts apportioned to all*
12 *States for such fiscal year under such sections.*

13 “(c) *INTELLIGENT TRANSPORTATION SYSTEMS DE-*
14 *PLOYMENT PROJECTS.*—*Projects for which funds must be*
15 *obligated under this section include the following:*

16 “(1) *PERFORMANCE.*—*Establishment and imple-*
17 *mentation of operations systems and services that im-*
18 *prove performance in the areas of traffic operations,*
19 *emergency response to surface transportation inci-*
20 *dents, surface transportation incident management,*
21 *weather event response management by State and*
22 *local authorities, surface transportation network and*
23 *facility management, construction and work zone*
24 *management, and traffic flow information.*

1 “(2) *NETWORKS.*—*Conducting activities that*
2 *support the creation of networks that link metropoli-*
3 *tan and rural surface transportation systems into an*
4 *integrated data network, capable of collecting, shar-*
5 *ing, and archiving transportation system traffic con-*
6 *dition and performance information.*

7 “(3) *SAFETY.*—*Implementation of intelligent*
8 *transportation system technologies that improve high-*
9 *way safety through linkages connecting the vehicle,*
10 *the infrastructure, and information to the driver.*

11 “(4) *OPERATION AND MANAGEMENT.*—*Provision*
12 *of services necessary to ensure the efficient operation*
13 *and management of intelligent transportation systems*
14 *infrastructure, including costs associated with com-*
15 *munications, utilities, rent, hardware, software, labor,*
16 *administrative costs, training, and technical services.*

17 “(5) *INTERAGENCY SUPPORT.*—*Provision of sup-*
18 *port for institutional relationships between transpor-*
19 *tation agencies, police, emergency medical services,*
20 *private emergency operators, freight operators, and*
21 *shippers.*

22 “(6) *PLANNING.*—*Conducting cross-jurisdictional*
23 *planning and deployment of regional transportation*
24 *systems operations and management approaches.*

25 “(d) *OBLIGATION OF AMOUNTS.*—

1 “(1) *IN GENERAL.*—*In complying with the re-*
2 *quirements of this section, the amounts obligated by*
3 *a State for projects under subsection (c) that support*
4 *deployment of intelligent transportation systems in*
5 *such State under subsection (a) shall be allocated*
6 *among the individual programs for which funds are*
7 *apportioned under sections 104(b)(1), 104(b)(2),*
8 *104(b)(3), and 104(b)(4).*

9 “(2) *LIMITATION ON STATUTORY CONSTRU-*
10 *CTION.*—*Nothing in this subsection shall be construed*
11 *as requiring a State to obligate proportional or equal*
12 *amounts under sections 104(b)(1), 104(b)(2),*
13 *104(b)(3), and 104(b)(4) for any congestion relief ac-*
14 *tivity under this section.*

15 “(e) *LIMITATION ON STATUTORY CONSTRUCTION.*—
16 *Nothing in this section shall be construed as altering or oth-*
17 *erwise affecting the applicability of the requirements of this*
18 *chapter (including requirements relating to the eligibility*
19 *of a project for assistance under the program, the location*
20 *of the project, and the Federal-share payable on account of*
21 *the project) to amounts apportioned to a State for a pro-*
22 *gram under section 104(b) that are obligated by the State*
23 *for projects under this section.*

1 “(f) *JOINT RESPONSIBILITY.*—Each State, each af-
 2 fected metropolitan planning organization, and the Sec-
 3 retary shall jointly ensure compliance with this section.”.

4 (c) *CONFORMING AMENDMENT.*—The analysis for such
 5 chapter is amended by inserting after the item relating to
 6 section 149 the following:

“150. *Deployment of intelligent transportation systems.*”.

7 **SEC. 1206. ENVIRONMENTAL REVIEW OF ACTIVITIES THAT**
 8 **SUPPORT DEPLOYMENT OF INTELLIGENT**
 9 **TRANSPORTATION SYSTEMS.**

10 (a) *CATEGORICAL EXCLUSIONS.*—Not later than one
 11 year after the date of enactment of this Act, the Secretary
 12 shall initiate a rulemaking process to establish, to the extent
 13 appropriate, categorical exclusions for activities that sup-
 14 port the deployment of intelligent transportation infra-
 15 structure and systems from the requirement that an envi-
 16 ronmental assessment or an environmental impact state-
 17 ment be prepared under section 102 of the National Envi-
 18 ronmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*) (42
 19 U.S.C. 4332) in compliance with the standards for categor-
 20 ical exclusions established by that Act.

21 (b) *NATIONWIDE PROGRAMMATIC AGREEMENT.*—

22 (1) *DEVELOPMENT.*—The Secretary shall develop
 23 a nationwide programmatic agreement governing the
 24 review of activities that support the deployment of in-
 25 telligent transportation infrastructure and systems in

1 *accordance with section 106 of the National Historic*
2 *Preservation Act (16 U.S.C. 470f) and the regulations*
3 *of the Advisory Council on Historic Preservation.*

4 (2) *CONSULTATION.*—*The Secretary shall develop*
5 *the agreement under paragraph (1) in consultation*
6 *with the National Conference of State Historic Preser-*
7 *vation Officers and the Advisory Council on Historic*
8 *Preservation established under title II of the National*
9 *Historic Preservation Act (26 U.S.C. 470i et seq.)*
10 *and after soliciting the views of other interested par-*
11 *ties.*

12 (c) *INTELLIGENT TRANSPORTATION INFRASTRUCTURE*
13 *AND SYSTEMS DEFINED.*—*In this section, the term “intel-*
14 *ligent transportation infrastructure and systems” means*
15 *intelligent transportation infrastructure and intelligent*
16 *transportation systems, as such terms are defined in section*
17 *5607.*

18 **SEC. 1207. STATE ASSUMPTION OF RESPONSIBILITIES FOR**
19 **CERTAIN PROGRAMS AND PROJECTS.**

20 (a) *IN GENERAL.*—*Subchapter I of chapter 1 of title*
21 *23, United States Code, is amended by adding at the end*
22 *the following:*

1 **“§ 167. State assumption of responsibilities for certain**
2 **programs and projects**

3 “(a) ASSUMPTION OF SECRETARY’S RESPONSIBILITIES
4 UNDER APPLICABLE FEDERAL LAWS.—

5 “(1) PILOT PROGRAM.—

6 “(A) ESTABLISHMENT.—*The Secretary may*
7 *establish a pilot program under which States*
8 *may assume the responsibilities of the Secretary*
9 *under any Federal laws subject to the require-*
10 *ments of this section.*

11 “(B) FIRST 3 FISCAL YEARS.—*In the first 3*
12 *fiscal years following the date of enactment of*
13 *this section, the Secretary may allow up to 5*
14 *States to participate in the pilot program.*

15 “(2) SCOPE OF PROGRAM.—*Under the pilot pro-*
16 *gram, the Secretary may assign, and a State may as-*
17 *sume, any of the Secretary’s responsibilities (other*
18 *than responsibilities relating to federally recognized*
19 *Indian tribes) for environmental reviews, consulta-*
20 *tion, or decisionmaking or other actions required*
21 *under any Federal law as such requirements apply to*
22 *the following projects:*

23 “(A) *Projects funded under section 104(h).*

24 “(B) *Transportation enhancement activities*
25 *under section 133, as such term is defined in sec-*
26 *tion 101(a)(35).*

1 “(C) *Projects as defined in section*
2 *101(a)(39) and section 5607 of the Transpor-*
3 *tation Equity Act: A Legacy for Users.*

4 “(b) *AGREEMENTS.—*

5 “(1) *IN GENERAL.—The Secretary shall enter*
6 *into a memorandum of understanding with a State*
7 *participating in the pilot program setting forth the*
8 *responsibilities to be assigned under subsection (a)(2)*
9 *and the terms and conditions under which the assign-*
10 *ment is being made.*

11 “(2) *CERTIFICATION.—Before the Secretary en-*
12 *ters into a memorandum of understanding with a*
13 *State under paragraph (1), the State shall certify*
14 *that the State has in effect laws (including regula-*
15 *tions) applicable to projects carried out and funded*
16 *under this title and chapter 53 of title 49 that author-*
17 *ize the State to carry out the responsibilities being as-*
18 *sumed.*

19 “(3) *MAXIMUM DURATION.—A memorandum of*
20 *understanding with a State under this section shall*
21 *be established for an initial period of no more than*
22 *3 years and may be renewed by mutual agreement on*
23 *a periodic basis for periods of not more than 3 years.*

24 “(4) *COMPLIANCE.—*

1 “(A) *IN GENERAL.*—*After entering into a*
2 *memorandum of understanding under paragraph*
3 *(1), the Secretary shall review and determine*
4 *compliance by the State with the memorandum*
5 *of understanding.*

6 “(B) *RENEWALS.*—*The Secretary shall take*
7 *into account the performance of a State under*
8 *the pilot program when considering renewal of a*
9 *memorandum of understanding with the State*
10 *under the program.*

11 “(c) *SELECTION OF STATES FOR PILOT PROGRAM.*—

12 “(1) *APPLICATION.*—*To be eligible to participate*
13 *in the pilot program, a State shall submit to the Sec-*
14 *retary an application that contains such information*
15 *as the Secretary may require. At a minimum, an ap-*
16 *plication shall include—*

17 “(A) *a description of the projects or classes*
18 *of projects for which the State seeks to assume re-*
19 *sponsibilities under subsection (a)(2); and*

20 “(B) *a certification that the State has the*
21 *capability to assume such responsibilities.*

22 “(2) *PUBLIC NOTICE.*—*Before entering into a*
23 *memorandum of understanding allowing a State to*
24 *participate in the pilot program, the Secretary*
25 *shall—*

1 “(A) publish notice in the Federal Register
2 of the Secretary’s intent to allow the State to
3 participate in the program, including a copy of
4 the State’s application to the Secretary and the
5 terms of the proposed agreement with the State;
6 and

7 “(B) provide an opportunity for public
8 comment.

9 “(3) SELECTION CRITERIA.—The Secretary may
10 approve the application of a State to assume respon-
11 sibilities under the program only if—

12 “(A) the requirements under paragraph (2)
13 have been met; and

14 “(B) the Secretary determines that the State
15 has the capability to assume the responsibilities.

16 “(4) OTHER FEDERAL AGENCY VIEWS.—Before
17 assigning to a State a responsibility of the Secretary
18 that requires the Secretary to consult with another
19 Federal agency, the Secretary shall solicit the views of
20 the Federal agency.

21 “(d) STATE DEFINED.—With respect to the rec-
22 reational trails program, the term ‘State’ means the State
23 agency designated by the Governor of the State in accord-
24 ance with section 206(c)(1).

1 “(e) *PRESERVATION OF PUBLIC INTEREST CONSIDER-*
 2 *ATION.*—*Nothing in this section shall be construed to limit*
 3 *the requirements under any applicable law providing for*
 4 *the consideration and preservation of the public interest,*
 5 *including public participation and community values in*
 6 *transportation decisionmaking.”.*

7 (b) *CONFORMING AMENDMENT.*—*The analysis for sub-*
 8 *chapter I of chapter 1 of such title is amended by adding*
 9 *at the end the following:*

“167. *State assumption of responsibilities for certain programs and projects.”.*

10 **SEC. 1208. HOV FACILITIES.**

11 (a) *IN GENERAL.*—*Subchapter I of chapter 1 of title*
 12 *23, United States Code, is amended by adding at the end*
 13 *the following:*

14 **“§ 168. HOV facilities**

15 “(a) *IN GENERAL.*—

16 “(1) *AUTHORITY OF STATE AGENCIES.*—*A State*
 17 *agency that has jurisdiction over the operation of a*
 18 *HOV facility shall establish the occupancy require-*
 19 *ments of vehicles operating on the facility.*

20 “(2) *OCCUPANCY REQUIREMENT.*—*Except as oth-*
 21 *erwise provided by this section, no fewer than 2 occu-*
 22 *pants per vehicle may be required for use of a HOV*
 23 *facility.*

24 “(b) *EXCEPTIONS.*—*Notwithstanding the occupancy*
 25 *requirements of subsection (a)(2), the following exceptions*

1 *shall apply with respect to a State agency operating a HOV*
2 *facility:*

3 “(1) *MOTORCYCLES AND BICYCLES.*—

4 “(A) *IN GENERAL.*—*Subject to subpara-*
5 *graph (B), the State agency shall allow motor-*
6 *cycles and bicycles to use the HOV facility.*

7 “(B) *SAFETY EXCEPTION.*—*A State agency*
8 *may restrict use of the HOV facility by motor-*
9 *cycles or bicycles (or both) if the agency certifies*
10 *to the Secretary that such use would create a*
11 *safety hazard and the Secretary accepts the cer-*
12 *tification. The Secretary may accept a certifi-*
13 *cation under this subparagraph only after the*
14 *Secretary publishes notice of the certification in*
15 *the Federal Register and provides an oppor-*
16 *tunity for public comment.*

17 “(2) *PUBLIC TRANSPORTATION VEHICLES.*—*The*
18 *State agency may allow public transportation vehicles*
19 *to use the HOV facility if the agency—*

20 “(A) *establishes requirements for clearly*
21 *identifying the vehicles; and*

22 “(B) *establishes procedures for enforcing the*
23 *restrictions on the use of the facility by such ve-*
24 *hicles.*

1 “(3) *HIGH OCCUPANCY TOLL VEHICLES.*—*The*
2 *State agency may allow vehicles not otherwise exempt*
3 *pursuant to this subsection to use the HOV facility if*
4 *the operators of such vehicles pay a toll charged by*
5 *the agency for use of the facility and the agency—*

6 “(A) *establishes a program that addresses*
7 *how motorists can enroll and participate in the*
8 *toll program;*

9 “(B) *develops, manages, and maintains a*
10 *system that will automatically collect the toll;*
11 *and*

12 “(C) *establishes policies and procedures*
13 *to—*

14 “(i) *manage the demand to use the fa-*
15 *cility by varying the toll amount that is*
16 *charged;*

17 “(ii) *enforce violations of use of the fa-*
18 *cility; and*

19 “(iii) *permit low-income individuals to*
20 *pay reduced tolls.*

21 “(4) *LOW EMISSION AND ENERGY-EFFICIENT VE-*
22 *HICLES.*—

23 “(A) *INHERENTLY LOW-EMISSION VEHI-*
24 *CLE.*—*Before September 30, 2009, the State*
25 *agency may allow vehicles that are certified as*

1 *inherently low-emission vehicles pursuant to sec-*
2 *tion 88.311–93 of title 40, Code of Federal Regu-*
3 *lations, and are labeled in accordance with sec-*
4 *tion 88.312–93 of such title, to use the HOV fa-*
5 *cility if the agency establishes procedures for en-*
6 *forcing the restrictions on the use of the facility*
7 *by such vehicles.*

8 “(B) *OTHER LOW EMISSION AND ENERGY-*
9 *EFFICIENT VEHICLES.*—*Before September 30,*
10 *2009, the State agency may allow vehicles cer-*
11 *tified as low emission and energy-efficient vehi-*
12 *cles under subsection (e), and labeled in accord-*
13 *ance with subsection (e), to use the HOV facility*
14 *if the operators of such vehicles pay a toll*
15 *charged by the agency for use of the facility and*
16 *the agency—*

17 “(i) *establishes a program that ad-*
18 *dresses the selection of vehicles under this*
19 *paragraph; and*

20 “(ii) *establishes procedures for enfore-*
21 *ing the restrictions on the use of the facility*
22 *by such vehicles.*

23 “(C) *AMOUNT OF TOLLS.*—*Under subpara-*
24 *graph (B), a State agency may charge no toll or*

1 *a toll that is less than tolls charged under para-*
2 *graph (3).*

3 “(c) *REQUIREMENTS APPLICABLE TO TOLLS.—*

4 “(1) *IN GENERAL.—Tolls may be charged under*
5 *subsections (b)(3) and (b)(4) notwithstanding section*
6 *301 and, except as provided in paragraphs (2) and*
7 *(3), subject to the requirements of section 129.*

8 “(2) *HOV FACILITIES ON THE INTERSTATE SYS-*
9 *TEM.—Notwithstanding section 129, tolls may be*
10 *charged under subsections (b)(3) and (b)(4) on a*
11 *HOV facility on the Interstate System.*

12 “(3) *EXCESS TOLL REVENUES.—If a State agen-*
13 *cy makes a certification under the last sentence of sec-*
14 *tion 129(a)(3) with respect to toll revenues collected*
15 *under subsections (b)(3) and (b)(4), the State, in the*
16 *use of tolls revenues under that sentence, shall give*
17 *priority consideration to projects for developing alter-*
18 *natives to single occupancy vehicle travel and projects*
19 *for improving highway safety.*

20 “(d) *HOV FACILITY MANAGEMENT, OPERATION, MON-*
21 *ITORING, AND ENFORCEMENT.—*

22 “(1) *IN GENERAL.—A State agency that allows*
23 *vehicles to use a HOV facility under subsection (b)(3)*
24 *or (b)(4) in a fiscal year shall certify to the Secretary*

1 *that the agency will carry out the following respon-*
2 *sibilities with respect to the facility in the fiscal year:*

3 “(A) *Establishing, managing, and sup-*
4 *porting a performance monitoring, evaluation,*
5 *and reporting program for the facility that pro-*
6 *vides for continuous monitoring, assessment, and*
7 *reporting on the impacts that such vehicles may*
8 *have on the operation of the facility and adja-*
9 *cent highways.*

10 “(B) *Establishing, managing, and sup-*
11 *porting an enforcement program that ensures*
12 *that the facility is being operated in accordance*
13 *with the requirements of this section.*

14 “(C) *Limiting or discontinuing the use of*
15 *the facility by such vehicles if the presence of*
16 *such vehicles has degraded the operation of the*
17 *facility.*

18 “(2) *DEGRADED FACILITY.—*

19 “(A) *IN GENERAL.—For purposes of para-*
20 *graph (1), the operation of a HOV facility shall*
21 *be considered to be degraded if vehicles operating*
22 *on the facility are failing to maintain a min-*
23 *imum average operating speed 90 percent of the*
24 *time over a consecutive 6-month period during*

1 *morning or evening weekday peak hour periods*
 2 *(or both).*

3 “(B) *MINIMUM AVERAGE OPERATING SPEED*
 4 *DEFINED.—In subparagraph (A), the term ‘min-*
 5 *imum average operating speed’ means—*

6 “(i) *45 miles per hour, in the case of*
 7 *a HOV facility with a speed limit of 50*
 8 *miles per hour or greater; and*

9 “(ii) *not more than 10 miles per hour*
 10 *below the speed limit, in the case of a HOV*
 11 *facility with a speed limit of less than 50*
 12 *miles per hour.*

13 “(e) *CERTIFICATION OF LOW EMISSION AND ENERGY-*
 14 *EFFICIENT VEHICLES.—Not later than 6 months after the*
 15 *date of enactment of this section, the Administrator of the*
 16 *Environmental Protection Agency shall issue a final rule*
 17 *establishing requirements for certification of vehicles as low*
 18 *emission and energy-efficient vehicles for purposes of this*
 19 *section and requirements for the labeling of such vehicles.*

20 “(f) *DEFINITIONS.—In this section, the following defi-*
 21 *nitions apply:*

22 “(1) *ALTERNATIVE FUEL VEHICLE.—The term*
 23 *‘alternative fuel vehicle’ means a vehicle that operates*
 24 *on—*

1 “(A) methanol, denatured ethanol, or other
2 alcohols;

3 “(B) a mixture containing at least 85 per-
4 cent of methanol, denatured ethanol, and other
5 alcohols by volume with gasoline or other fuels;

6 “(C) natural gas;

7 “(D) liquefied petroleum gas;

8 “(E) hydrogen;

9 “(F) coal derived liquid fuels;

10 “(G) fuels (except alcohol) derived from bio-
11 logical materials;

12 “(H) electricity (including electricity from
13 solar energy); or

14 “(I) any other fuel that the Secretary pre-
15 scribes by regulation that is not substantially pe-
16 troleum and that would yield substantial energy
17 security and environmental benefits.

18 “(2) *HOV FACILITY*.—The term ‘HOV facility’
19 means a high occupancy vehicle facility.

20 “(3) *LOW EMISSION AND ENERGY EFFICIENT VE-*
21 *HICLE*.—The term ‘low emission and energy-efficient
22 vehicle’ means a vehicle that—

23 “(A) has been certified by the Administrator
24 of the Environmental Protection Agency as meet-
25 ing the Tier II emission level established in regu-

1 *lations prescribed by the Administrator under*
 2 *section 202(i) of the Clean Air Act (42 U.S.C.*
 3 *7521(i)) for that make and model year vehicle;*
 4 *and*

5 *“(B)(i) has been certified by the Adminis-*
 6 *trator to have a 45-mile-per-gallon or greater*
 7 *fuel economy highway rating; or*

8 *“(i) is an alternative fuel vehicle.*

9 *“(4) PUBLIC TRANSPORTATION VEHICLE.—The*
 10 *term ‘public transportation vehicle’ means a vehicle*
 11 *that provides public transportation (as defined in sec-*
 12 *tion 5302(a) of title 49).*

13 *“(5) STATE AGENCY.—The term ‘State agency’,*
 14 *as used with respect to a HOV facility, means an*
 15 *agency of a State or local government having juris-*
 16 *isdiction over the operation of the facility and includes*
 17 *a State transportation department.”.*

18 *(b) CONFORMING AMENDMENTS.—*

19 *(1) PROGRAM EFFICIENCIES.—Section 102 of*
 20 *title 23, United States Code, is amended by striking*
 21 *subsection (a) and redesignating subsections (b) and*
 22 *(c) as subsections (a) and (b), respectively.*

23 *(2) CHAPTER ANALYSIS.—The analysis for sub-*
 24 *chapter I of chapter 1 of such title is amended by*
 25 *adding at the end the following:*

“168. HOV facilities.”.

1 (c) *TECHNICAL AMENDMENT.*—Section 102(b) of title
2 23, United States Code, as redesignated by subsection (b)(1)
3 of this section, is amended by striking “10 years” and all
4 that follows through “after” and inserting “10 years (or
5 such longer period as the State requests and the Secretary
6 determines to be reasonable) after”.

7 **SEC. 1209. CONGESTION PRICING PILOT PROGRAM.**

8 (a) *ESTABLISHMENT.*—Section 1012(b)(1) of the Inter-
9 modal Surface Transportation Efficiency Act of 1991 (23
10 U.S.C. 149 note; 105 Stat. 1938) is amended to read as
11 follows:

12 “(1) *ESTABLISHMENT.*—

13 “(A) *IN GENERAL.*—The Secretary may
14 enter into cooperative agreements with State and
15 local governments to carry out not more than 25
16 congestion pricing pilot projects.

17 “(B) *PREVIOUSLY APPROVED PROJECTS.*—
18 Projects carried out under paragraph (1) shall
19 include each project approved under this sub-
20 section before the date of enactment of the Trans-
21 portation Equity Act: A Legacy for Users and
22 under which highway tolls are being collected as
23 of such date of enactment.”.

24 (b) *LOW-INCOME DRIVERS.*—Section 1012(b)(7) of
25 such Act is amended to read as follows:

1 “(7) *REDUCED TOLLS FOR LOW-INCOME DRIV-*
2 *ERS.—Any congestion pricing pilot project carried*
3 *out under this subsection that involves the collection*
4 *of highway tolls shall include a program to permit*
5 *low-income drivers to pay a reduced toll amount.”.*

6 (c) *SET-ASIDE FOR PROJECTS NOT INVOLVING HIGH-*
7 *WAY TOLLS.—At the end of section 1012(b)(8) of such Act*
8 *add the following:*

9 “(D) *SET-ASIDE FOR PROJECTS NOT IN-*
10 *VOLVING HIGHWAY TOLLS.—Of the amounts*
11 *made available to carry out this subsection,*
12 *\$3,000,000 per fiscal year shall be available only*
13 *for congestion pricing pilot projects that do not*
14 *involve highway tolls.”.*

15 (d) *CONFORMING AMENDMENTS.—Section 1012(b) of*
16 *such Act is amended—*

17 (1) *in the subsection heading by striking “VALUE*
18 *PRICING” and inserting “CONGESTION PRICING”;*

19 (2) *in paragraph (2)—*

20 (A) *by striking “(2) Notwithstanding” and*
21 *inserting the following:*

22 “(2) *FEDERAL SHARE; ELIGIBLE COSTS.—Not-*
23 *withstanding”;*

24 (B) *in the first sentence by striking “pro-*
25 *grams” and inserting “projects”; and*

1 (C) in the second sentence by striking “pro-
2 gram” and inserting “project”;

3 (3) in paragraph (3) by striking “(3) Revenues”
4 and inserting the following:

5 “(3) USE OF REVENUES.—Revenues”;

6 (4) in paragraph (4)—

7 (A) by striking “(4) Notwithstanding” and
8 inserting the following:

9 “(4) USE OF TOLLS ON INTERSTATE SYSTEM.—
10 Notwithstanding”;

11 (B) by striking “value pricing pilot pro-
12 gram” and inserting “congestion pricing pilot
13 project”;

14 (5) in paragraph (5)—

15 (A) by striking “(5) The Secretary” and in-
16 serting the following:

17 “(5) MONITORING.—The Secretary”; and

18 (B) by striking “programs” the first and
19 second place it appears and inserting “projects”;
20 and

21 (6) in paragraph (6) by striking “value pricing
22 pilot program” and inserting “congestion pricing
23 pilot project”.

1 **SEC. 1210. CONGESTION MITIGATION AND AIR QUALITY IM-**
2 **PROVEMENT PROGRAM ELIGIBILITY.**

3 *Section 149(b)(5) of title 23, United States Code, is*
4 *amended by inserting “improve transportation systems*
5 *management and operations,” after “intersections,”.*

6 **SEC. 1211. SPECIAL RULES FOR STATE ASSUMPTION OF RE-**
7 **SPONSIBILITIES.**

8 *(a) LIMITATIONS.—Section 167(a) of title 23, United*
9 *States Code, as added by section 1207(a) of this Act, is*
10 *amended by adding at the end the following:*

11 *“(3) LIMITATIONS.—*

12 *“(A) PROCEDURAL AND SUBSTANTIVE RE-*
13 *QUIREMENTS.—A State that assumes the respon-*
14 *sibilities of the Secretary under this section shall*
15 *be subject to the same procedural and substantive*
16 *requirements as would apply if the responsibil-*
17 *ities were carried out by the Secretary. When a*
18 *State assumes responsibilities for carrying out a*
19 *Federal law under this section, the State assents*
20 *to Federal jurisdiction and shall be solely re-*
21 *sponsible and solely liable for complying with*
22 *and carrying out that law instead of the Sec-*
23 *retary.*

24 *“(B) ASSUMPTION OF RESPONSIBILITIES.—*
25 *Any responsibility of the Secretary not assumed*

1 *by the State in a memorandum of understanding*
2 *shall remain a responsibility of the Secretary.*

3 “(C) *POWERS OF OTHER AGENCIES.—Nothing*
4 *in this section preempts or limits any power,*
5 *jurisdiction, responsibility, or authority of an*
6 *agency, other than the Department of Transpor-*
7 *tation, with respect to a project.”.*

8 **(b) ACCEPTANCE OF FEDERAL COURTS JURISDICTION;**
9 **TERMINATION OF AGREEMENTS.—***Section 167(b) of title 23,*
10 *United States Code, as added by section 1207(a) of this Act,*
11 *is amended by adding at the end the following:*

12 “(5) **ACCEPTANCE OF FEDERAL COURTS JURIS-**
13 **DICTION.—***A memorandum of understanding with a*
14 *State under this section shall include a provision*
15 *under which the State consents to accept the jurisdic-*
16 *tion of the Federal courts for the compliance, dis-*
17 *charge, and enforcement of any responsibility of the*
18 *Secretary that the State may assume under the*
19 *memorandum.*

20 “(6) **TERMINATION OF AGREEMENTS.—***A memo-*
21 *randum of understanding with a State under this sec-*
22 *tion shall include a provision authorizing the Sec-*
23 *retary to terminate the agreement if the Secretary,*
24 *after providing an opportunity for a hearing, issues*

1 *a finding that the State is not in compliance with the*
2 *terms of the agreement.”.*

3 *(c) STATE SUBJECT TO FEDERAL LAWS.—Section 167*
4 *of title 23, United States Code, as added by section 1207(a)*
5 *of this Act, is further amended by adding at the end the*
6 *following:*

7 *“(f) STATE SUBJECT TO FEDERAL LAWS.—For pur-*
8 *poses of assuming responsibilities of the Secretary under*
9 *this section, a State agency entering into a memorandum*
10 *of understanding under subsection (b) is deemed to be a*
11 *Federal agency to the extent the State is carrying out the*
12 *Secretary’s responsibilities under the National Environ-*
13 *mental Policy Act of 1969 (42 U.S.C. 4321 et seq.), this*
14 *title, and any other provision of Federal law.”.*

15 **SEC. 1212. OPENING OF INTERSTATE RAMPS.**

16 *(a) IN GENERAL.—Not later 30 days after the date of*
17 *enactment of this Act, the Secretary shall open the ramp*
18 *connecting Interstate Route 495 and Arena Drive in Prince*
19 *George’s County, Maryland, for the purpose of allowing*
20 *motor vehicles to exit Interstate Route 495 in both northern*
21 *and southern directions onto Arena Drive. Such ramp shall*
22 *be open for 24 hours a day, every day during the calendar*
23 *year.*

24 *(b) FULLY OPENING ARENA DRIVE RAMP.—*

1 (1) *PRIORITY.*—*In the selection process under*
2 *this section, the Secretary shall give priority to*
3 *projects in corridors that are a part of, or will be des-*
4 *ignated as part of, the Dwight D. Eisenhower Na-*
5 *tional System of Interstate and Defense Highways*
6 *after completion of the work described in the applica-*
7 *tion received by the Secretary and to any project that*
8 *will be completed within 5 years of the date of the al-*
9 *location of funds for the project.*

10 (2) *SELECTION FACTORS.*—*In making alloca-*
11 *tions under this section, the Secretary shall consider*
12 *the following factors:*

13 (A) *The extent to which the corridor pro-*
14 *vides a link between 2 existing segments of the*
15 *Interstate System.*

16 (B) *The extent to which the project will fa-*
17 *facilitate major multistate or regional mobility*
18 *and economic growth and development in areas*
19 *underserved by existing highway infrastructure.*

20 (C) *The extent to which commercial vehicle*
21 *traffic in the corridor—*

22 (i) *has increased since the date of en-*
23 *actment of the North American Free Trade*
24 *Agreement Implementation Act (16 U.S.C.*
25 *4401 et seq.); and*

1 (ii) is projected to increase in the fu-
2 ture.

3 (D) The extent to which international
4 truck-borne commodities move through the cor-
5 ridor.

6 (E) The extent to which the project will
7 make improvements to an existing segment of the
8 Interstate System that will result in a decrease
9 in congestion.

10 (F) The reduction in commercial and other
11 travel time through a major freight corridor ex-
12 pected as a result of the project.

13 (G) The value of the cargo carried by com-
14 mercial vehicle traffic in the corridor and the
15 economic costs arising from congestion in the
16 corridor.

17 (H) The extent of leveraging of Federal
18 funds provided to carry out this section, includ-
19 ing—

20 (i) use of innovative financing;

21 (ii) combination with funding pro-
22 vided under other sections of this Act and
23 title 23, United States Code; and

24 (iii) combination with other sources of
25 Federal, State, local, or private funding.

1 (c) *PERIOD OF AVAILABILITY.*—*Funds allocated for a*
2 *project to a State under this section shall remain available*
3 *for obligation in that State until 6 months from the day*
4 *on which they are allocated. Sums not obligated within 6*
5 *months of the day on which they are allocated shall be*
6 *available to the Secretary to be allocated for other projects*
7 *eligible under this section.*

8 (d) *FEDERAL SHARE.*—*The Federal share of the cost*
9 *of a project under this section shall be determined in accord-*
10 *ance with section 120(b) of title 23, United States Code.*

11 (e) *APPLICABILITY OF TITLE 23.*—*Except as provided*
12 *in subsections (c) and (d), funds made available by section*
13 *1101(a)(10) of this Act to carry out this section shall be*
14 *available for obligation in the same manner as if such funds*
15 *were apportioned under chapter 1 of title 23, United States*
16 *Code.*

17 (f) *STATE DEFINED.*—*In this section, the term “State”*
18 *has the meaning such term has under section 101 of title*
19 *23, United States Code.*

20 **SEC. 1302. COORDINATED BORDER INFRASTRUCTURE PRO-**
21 **GRAM.**

22 (a) *GENERAL AUTHORITY.*—*The Secretary shall im-*
23 *plement a coordinated border infrastructure program under*
24 *which the Secretary shall distribute funds to border States*
25 *to improve the safe movement of motor vehicles at or across*

1 *the border between the United States and Canada and the*
2 *border between the United States and Mexico.*

3 (b) *ELIGIBLE USES.*—*A State may use funds appor-*
4 *tioned under this section only for—*

5 (1) *improvements in a border region to existing*
6 *transportation and supporting infrastructure that fa-*
7 *facilitate cross-border motor vehicle and cargo move-*
8 *ments;*

9 (2) *construction of highways and related safety*
10 *and safety enforcement facilities in a border region*
11 *that facilitate motor vehicle and cargo movements re-*
12 *lated to international trade;*

13 (3) *operational improvements in a border region,*
14 *including improvements relating to electronic data*
15 *interchange and use of telecommunications, to expe-*
16 *dite cross border motor vehicle and cargo movement;*

17 (4) *modifications to regulatory procedures to ex-*
18 *pedite safe and efficient cross border motor vehicle*
19 *and cargo movements; and*

20 (5) *international coordination of transportation*
21 *planning, programming, and border operation with*
22 *Canada and Mexico relating to expediting cross bor-*
23 *der motor vehicle and cargo movements.*

24 (c) *APPORTIONMENT OF FUNDS.*—*On October 1 of each*
25 *fiscal year, the Secretary shall apportion among border*

1 *States sums authorized to be appropriated to carry out this*
2 *section for such fiscal year as follows:*

3 *(1) 20 percent in the ratio that—*

4 *(A) the total number of incoming commer-*
5 *cial trucks that pass through the land border*
6 *ports of entry within the boundaries of a border*
7 *State, as determined by the Secretary; bears to*

8 *(B) the total number of incoming commer-*
9 *cial trucks that pass through such ports of entry*
10 *within the boundaries of all the border States, as*
11 *determined by the Secretary.*

12 *(2) 30 percent in the ratio that—*

13 *(A) the total number of incoming personal*
14 *motor vehicles and incoming buses that pass*
15 *through land border ports of entry within the*
16 *boundaries of a border State, as determined by*
17 *the Secretary; bears to*

18 *(B) the total number of incoming personal*
19 *motor vehicles and incoming buses that pass*
20 *through such ports of entry within the bound-*
21 *aries of all the border States, as determined by*
22 *the Secretary.*

23 *(3) 25 percent in the ratio that—*

24 *(A) the total weight of incoming cargo by*
25 *commercial trucks that pass through land border*

1 ports of entry within the boundaries of a border
2 State, as determined by the Secretary; bears to

3 (B) the total weight of incoming cargo by
4 commercial trucks that pass through such ports
5 of entry within the boundaries of all the border
6 States, as determined by the Secretary.

7 (4) 25 percent of the ratio that—

8 (A) the total number of land border ports of
9 entry within the boundaries of a border State, as
10 determined by the Secretary; bears to

11 (B) the total number of land border ports of
12 entry within the boundaries of all the border
13 States, as determined by the Secretary.

14 (d) *APPLICABILITY OF TITLE 23.*—Funds made avail-
15 able to carry out this section shall be available for obliga-
16 tion in the same manner as if such funds were apportioned
17 under chapter 1 of title 23, United States Code; except that
18 such funds shall not be transferable and shall remain avail-
19 able until expended and the Federal share of the cost of a
20 project under this section shall be 80 percent.

21 (e) *DEFINITIONS.*—In this section, the following defini-
22 tions apply:

23 (1) *BORDER REGION.*—The term “border region”
24 means any portion of a border State within 20 miles

1 *of an international land border with Canada or Mex-*
2 *ico.*

3 (2) *BORDER STATE.*—*The term “border State”*
4 *means any State that has an international land bor-*
5 *der with Canada or Mexico.*

6 (3) *COMMERCIAL TRUCK.*—*The term “commer-*
7 *cial truck” means a commercial motor vehicle as de-*
8 *finied in section 31301(4) (other than subparagraph*
9 *(B)) of title 49, United States Code.*

10 (4) *MOTOR VEHICLE.*—*The term “motor vehicle”*
11 *has the meaning such term has under section 101(a)*
12 *of title 23, United States Code.*

13 (5) *STATE.*—*The term “State” has the meaning*
14 *such term has in section 101(a) of such title 23.*

15 **SEC. 1303. FREIGHT INTERMODAL CONNECTORS.**

16 (a) *IN GENERAL.*—

17 (1) *ESTABLISHMENT.*—*The Secretary shall estab-*
18 *lish a freight intermodal connector program to im-*
19 *prove productivity and improve the efficiency of the*
20 *transportation of freight, while mitigating congestion*
21 *in the area of freight intermodal connectors.*

22 (2) *PURPOSES.*—*The purposes of the program*
23 *shall be—*

24 (A) *to facilitate and support intermodal*
25 *freight transportation initiatives at the State*

1 *and local levels in order to improve freight inter-*
2 *modal connectors and mitigate the impact of*
3 *congestion in the area of such connectors; and*

4 *(B) to provide capital funding to address*
5 *infrastructure and freight operational needs at*
6 *freight intermodal connectors.*

7 *(b) STATE RESPONSIBILITIES.—Under the program,*
8 *each State shall ensure that intermodal freight transpor-*
9 *tation and trade facilitation and are adequately addressed*
10 *integrated into the project development process, including*
11 *transportation planning, through final design and con-*
12 *struction of freight related transportation projects.*

13 *(c) ELIGIBLE PROJECTS.—*

14 *(1) IN GENERAL.—Projects eligible for funding*
15 *under this section may include the construction of*
16 *and improvements to publicly owned freight inter-*
17 *modal connectors, the provision of access to such con-*
18 *nectors, and operational improvements for such con-*
19 *nectors (including capital investment for intelligent*
20 *transportation systems); except that a project located*
21 *within the boundaries of an intermodal freight facil-*
22 *ity shall only include highway infrastructure modi-*
23 *fications necessary to facilitate direct intermodal ac-*
24 *cess between the connector and the facility.*

1 (2) *SPECIAL RULE.*—If a State that does not
2 have any freight intermodal connectors within its
3 boundaries or has only freight intermodal connectors
4 within its boundaries that are in good condition and
5 provide an adequate level of service, projects within
6 the boundaries of the State that are eligible for assist-
7 ance under section 103(b)(6) of title 23, United States
8 Code, relating to the National Highway System, shall
9 be eligible for funding under this section.

10 (d) *PRIORITY.*—Under the program, a State shall give
11 priority to projects on freight intermodal connectors to the
12 National Highway System as identified according to the
13 criteria set forth in the report of the Department of Trans-
14 portation to Congress entitled “Pulling Together: The NHS
15 and its Connections to Major Intermodal Terminals”.

16 (e) *APPORTIONMENT.*—On October 1 of each fiscal
17 year, the Secretary shall apportion among the States sums
18 made available to carry out this section for such fiscal year
19 as follows:

20 (1) 33.3 percent in the ratio that—

21 (A) the number of freight intermodal con-
22 nectors identified in the most recent Intermodal
23 Freight Connectors study of the Federal High-
24 way Administration within the boundaries of a
25 State; bears to

1 (B) *the total number of such connectors*
2 *within the boundaries of all the States.*

3 (2) *33.3 percent in the ratio that—*

4 (A) *the total of each State's annual con-*
5 *tributions to the Highway Trust Fund (other*
6 *than the Mass Transit Account) attributable to*
7 *commercial motor vehicles; bears to*

8 (B) *the total of such annual contributions*
9 *by all States.*

10 (3) *33.4 percent in the same ratios as funds are*
11 *apportioned for the National Highway System under*
12 *clauses (i), (ii), (iii), and (iv) of section 104(b)(1)(A)*
13 *of title 23, United States Code.*

14 (f) *APPLICABILITY OF TITLE 23.—Funds made avail-*
15 *able to carry out this section shall be available for obliga-*
16 *tion in the same manner as if such funds were apportioned*
17 *under chapter 1 of title 23, United States Code; except that*
18 *such funds shall not be transferable and shall remain avail-*
19 *able until expended and the Federal share of the cost of a*
20 *project under this section shall be 80 percent.*

21 (g) *UPDATE REPORT.—Not later than August 1, 2005,*
22 *the Secretary shall publish an update to the report entitled*
23 *“Pulling Together: the National Highway System and its*
24 *Connections to Major Intermodal Terminals”.*

1 (h) *DEFINITIONS.*—*In this section, the following defi-*
2 *nitions apply:*

3 (1) *FREIGHT INTERMODAL CONNECTORS.*—*The*
4 *term “freight intermodal connector” means the road-*
5 *way that connects to an intermodal freight facility*
6 *that carries or will carry intermodal traffic.*

7 (2) *INTERMODAL FREIGHT FACILITY.*—*The term*
8 *“intermodal freight facility” means a port, airport,*
9 *truck-rail terminal, and pipeline-truck terminal.*

10 (3) *STATE.*—*The term “State” has the meaning*
11 *such term has in section 101(a) of title 23, United*
12 *States Code.*

13 **SEC. 1304. PROJECTS OF NATIONAL AND REGIONAL SIG-**
14 **NIFICANCE.**

15 (a) *FINDINGS.*—*Congress finds the following:*

16 (1) *Under current law, surface transportation*
17 *programs rely primarily on formula capital appor-*
18 *tionments to States.*

19 (2) *Despite the significant increase for surface*
20 *transportation program funding in the Transpor-*
21 *tation Equity Act of the 21st Century, current levels*
22 *of investment are insufficient to fund critical high-*
23 *cost transportation infrastructure facilities that ad-*
24 *dress critical national economic and transportation*
25 *needs.*

1 (3) *Critical high-cost transportation infrastruc-*
2 *ture facilities often include multiple levels of govern-*
3 *ment, agencies, modes of transportation, and trans-*
4 *portation goals and planning processes that are not*
5 *easily addressed or funded within existing surface*
6 *transportation program categories.*

7 (4) *Projects of national and regional significance*
8 *have national and regional benefits, including im-*
9 *proving economic productivity by facilitating inter-*
10 *national trade, relieving congestion, and improving*
11 *transportation safety by facilitating passenger and*
12 *freight movement.*

13 (5) *The benefits of such projects described in*
14 *paragraph (4) accrue to local areas, States, and the*
15 *Nation as a result of the effect such projects have on*
16 *the national transportation system.*

17 (6) *A program dedicated to constructing projects*
18 *of national and regional significance is necessary to*
19 *improve the safe, secure, and efficient movement of*
20 *people and goods throughout the United States and*
21 *improve the health and welfare of the national econ-*
22 *omy.*

23 (b) *ESTABLISHMENT OF PROGRAM.—The Secretary*
24 *shall establish a program to provide grants to qualified en-*
25 *tities for projects of national and regional significance.*

1 (c) *DEFINITIONS.*—

2 (1) *ELIGIBLE PROJECT COSTS.*—The term “*eligi-*
3 *ble project costs*” means the costs of—

4 (A) *development phase activities, including*
5 *planning, feasibility analysis, revenue fore-*
6 *casting, environmental review, preliminary engi-*
7 *neering and design work, and other*
8 *preconstruction activities; and*

9 (B) *construction, reconstruction, rehabilita-*
10 *tion, and acquisition of real property (including*
11 *land related to the project and improvements to*
12 *land), environmental mitigation, construction*
13 *contingencies, acquisition of equipment, and*
14 *operational improvements.*

15 (2) *ELIGIBLE PROJECT.*—The term “*eligible*
16 *project*” means any surface transportation project eli-
17 *gible for Federal assistance under title 23, United*
18 *States Code, including freight railroad projects and*
19 *activities eligible under such title.*

20 (3) *QUALIFIED ENTITY.*—The term “*qualified en-*
21 *tity*” means a State as defined in section 101(a) of
22 *title 23, United States Code.*

23 (d) *ELIGIBILITY.*—To be eligible for assistance under
24 *this section, a project shall have eligible project costs that*
25 *are reasonably anticipated to equal or exceed the lesser of—*

1 (1) \$500,000,000; or

2 (2) 75 percent of the amount of Federal highway
3 assistance funds apportioned for the most recently
4 completed fiscal year to the State in which the project
5 is located.

6 (e) *APPLICATIONS.*—Each qualified entity seeking to
7 receive a grant under this section for an eligible project
8 shall submit to the Secretary an application in such form
9 and in accordance with such requirements as the Secretary
10 shall establish.

11 (f) *COMPETITIVE GRANT SELECTION AND CRITERIA*
12 *FOR GRANTS.*—

13 (1) *IN GENERAL.*—The Secretary shall—

14 (A) establish criteria for selecting among
15 projects that meet the eligibility criteria specified
16 in subsection (d);

17 (B) conduct a national solicitation for ap-
18 plications; and

19 (C) award grants on a competitive basis.

20 (2) *CRITERIA FOR GRANTS.*—The Secretary may
21 approve a grant under this section for a project only
22 if the Secretary determines that the project—

23 (A) is based on the results of preliminary
24 engineering;

1 (B) is justified based on the project's abil-
2 ity—

3 (i) to generate national economic bene-
4 fits, including creating jobs, expanding
5 business opportunities, and impacting the
6 gross domestic product;

7 (ii) to reduce congestion, including im-
8 pacts in the State, region, and Nation;

9 (iii) to improve transportation safety,
10 including reducing transportation acci-
11 dents, injuries, and fatalities;

12 (iv) to otherwise enhance the national
13 transportation system; and

14 (v) to garner support for non-Federal
15 financial commitments and provide evi-
16 dence of stable and dependable financing
17 sources to construct, maintain, and operate
18 the infrastructure facility; and

19 (C) is supported by an acceptable degree of
20 non-Federal financial commitments, including
21 evidence of stable and dependable financing
22 sources to construct, maintain, and operate the
23 infrastructure facility.

1 (3) *SELECTION CONSIDERATIONS.*—*In selecting a*
2 *project under this section, the Secretary shall consider*
3 *the extent to which the project—*

4 (A) *leverages Federal investment by encour-*
5 *aging non-Federal contributions to the project,*
6 *including contributions from public-private*
7 *partnerships;*

8 (B) *uses new technologies, including intel-*
9 *ligent transportation systems, that enhance the*
10 *efficiency of the project.*

11 (C) *helps maintain or protect the environ-*
12 *ment.*

13 (4) *PRELIMINARY ENGINEERING.*—*In evaluating*
14 *a project under paragraph (2)(A), the Secretary shall*
15 *analyze and consider the results of preliminary engi-*
16 *neering for the project.*

17 (5) *NON-FEDERAL FINANCIAL COMMITMENT.*—

18 (A) *EVALUATION OF PROJECT.*—*In evalu-*
19 *ating a project under paragraph (2)(C), the Sec-*
20 *retary shall require that—*

21 (i) *the proposed project plan provides*
22 *for the availability of contingency amounts*
23 *that the Secretary determines to be reason-*
24 *able to cover unanticipated cost increases;*
25 *and*

1 (ii) each proposed non-Federal source
2 of capital and operating financing is stable,
3 reliable, and available within the proposed
4 project timetable.

5 (B) *CONSIDERATIONS.*—In assessing the
6 stability, reliability, and availability of proposed
7 sources of non-Federal financing under subpara-
8 graph (A), the Secretary shall consider—

9 (i) existing financial commitments;

10 (ii) the degree to which financing
11 sources are dedicated to the purposes pro-
12 posed;

13 (iii) any debt obligation that exists or
14 is proposed by the recipient for the proposed
15 project; and

16 (iv) the extent to which the project has
17 a non-Federal financial commitment that
18 exceeds the required non-Federal share of
19 the cost of the project.

20 (6) *REGULATIONS.*—Not later than 120 days
21 after the date of enactment of this Act, the Secretary
22 shall issue regulations on the manner in which the
23 Secretary will evaluate and rate the projects based on
24 the results of preliminary engineering, project jus-

1 *tification, and the degree of non-Federal financial*
2 *commitment, as required under this subsection.*

3 (7) *PROJECT EVALUATION AND RATING.*—A pro-
4 *posed project may advance from preliminary engi-*
5 *neering to final design and construction only if the*
6 *Secretary finds that the project meets the require-*
7 *ments of this subsection and there is a reasonable like-*
8 *lihood that the project will continue to meet such re-*
9 *quirements. In making such findings, the Secretary*
10 *shall evaluate and rate the project as “highly rec-*
11 *ommended”, “recommended”, or “not recommended”*
12 *based on the results of preliminary engineering, the*
13 *project justification criteria, and the degree of non-*
14 *Federal financial commitment, as required under this*
15 *subsection. In rating the projects, the Secretary shall*
16 *provide, in addition to the overall project rating, in-*
17 *dividual ratings for each of the criteria established*
18 *under the regulations issued under paragraph (6).*

19 (g) *LETTERS OF INTENT AND FULL FUNDING GRANT*
20 *AGREEMENTS.*—

21 (1) *LETTER OF INTENT.*—

22 (A) *IN GENERAL.*—*The Secretary may issue*
23 *a letter of intent to an applicant announcing an*
24 *intention to obligate, for a project under this sec-*
25 *tion, an amount from future available budget*

1 *authority specified in law that is not more than*
2 *the amount stipulated as the financial participa-*
3 *tion of the Secretary in the project.*

4 *(B) NOTIFICATION.—At least 60 days before*
5 *issuing a letter under subparagraph (A) or en-*
6 *tering into a full funding grant agreement, the*
7 *Secretary shall notify in writing the Committee*
8 *on Transportation and Infrastructure of the*
9 *House of Representatives and the Committee on*
10 *Environment and Public Works of the Senate of*
11 *the proposed letter or agreement. The Secretary*
12 *shall include with the notification a copy of the*
13 *proposed letter or agreement as well as the eval-*
14 *uations and ratings for the project.*

15 *(C) NOT AN OBLIGATION.—The issuance of*
16 *a letter is deemed not to be an obligation under*
17 *sections 1108(c) and (d), 1501, and 1502(a) of*
18 *title 31, United States Code, or an administra-*
19 *tive commitment.*

20 *(D) OBLIGATION OR COMMITMENT.—An ob-*
21 *ligation or administrative commitment may be*
22 *made only when contract authority is allocated*
23 *to a project.*

24 *(2) FULL FUNDING GRANT AGREEMENT.—*

1 (A) *IN GENERAL.*—A project financed under
2 this subsection shall be carried out through a full
3 funding grant agreement. The Secretary shall
4 enter into a full funding grant agreement based
5 on the evaluations and ratings required under
6 subsection (f)(7).

7 (B) *TERMS.*—If the Secretary makes a full
8 funding grant agreement with an applicant, the
9 agreement shall—

10 (i) establish the terms of participation
11 by the United States Government in a
12 project under this section;

13 (ii) establish the maximum amount of
14 Government financial assistance for the
15 project;

16 (iii) cover the period of time for com-
17 pleting the project, including a period ex-
18 tending beyond the period of an authoriza-
19 tion; and

20 (iv) make timely and efficient manage-
21 ment of the project easier according to the
22 laws of the United States.

23 (C) *AGREEMENT.*—An agreement under this
24 paragraph obligates an amount of available
25 budget authority specified in law and may in-

1 *clude a commitment, contingent on amounts to*
2 *be specified in law in advance for commitments*
3 *under this paragraph, to obligate an additional*
4 *amount from future available budget authority*
5 *specified in law. The agreement shall state that*
6 *the contingent commitment is not an obligation*
7 *of the Government. Interest and other financing*
8 *costs of efficiently carrying out a part of the*
9 *project within a reasonable time are a cost of*
10 *carrying out the project under a full funding*
11 *grant agreement, except that eligible costs may*
12 *not be more than the cost of the most favorable*
13 *financing terms reasonably available for the*
14 *project at the time of borrowing. The applicant*
15 *shall certify, in a way satisfactory to the Sec-*
16 *retary, that the applicant has shown reasonable*
17 *diligence in seeking the most favorable financing*
18 *terms.*

19 (3) *AMOUNTS.*—*The total estimated amount of*
20 *future obligations of the Government and contingent*
21 *commitments to incur obligations covered by all out-*
22 *standing letters of intent and full funding grant*
23 *agreements may be not more than the greater of the*
24 *amount authorized to carry out this section or an*
25 *amount equivalent to the last 2 fiscal years of funding*

1 *authorized to carry out this section less an amount*
2 *the Secretary reasonably estimates is necessary for*
3 *grants under this section not covered by a letter. The*
4 *total amount covered by new letters and contingent*
5 *commitments included in full funding grant agree-*
6 *ments may be not more than a limitation specified in*
7 *law.*

8 *(h) GRANT REQUIREMENTS.—*

9 *(1) IN GENERAL.—A grant for a project under*
10 *this section shall be subject to all of the requirements*
11 *of title 23, United States Code, and chapter 52 of title*
12 *49, United States Code.*

13 *(2) OTHER TERMS AND CONDITIONS.—The Sec-*
14 *retary shall require that all grants under this section*
15 *be subject to all terms, conditions, and requirements*
16 *that the Secretary decides are necessary or appro-*
17 *priate for purposes of this section, including require-*
18 *ments for the disposition of net increases in value of*
19 *real property resulting from the project assisted under*
20 *this section.*

21 *(i) GOVERNMENT'S SHARE OF PROJECT COST.—Based*
22 *on engineering studies, studies of economic feasibility, and*
23 *information on the expected use of equipment or facilities,*
24 *the Secretary shall estimate the cost of a project receiving*
25 *assistance under this section. A grant for the project is for*

1 80 percent of the project cost, unless the grant recipient re-
2 quests a lower grant percentage. A refund or reduction of
3 the remainder may be made only if a refund of a propor-
4 tional amount of the grant of the Government is made at
5 the same time.

6 (j) *FISCAL CAPACITY CONSIDERATIONS.*—If the Sec-
7 retary gives priority consideration to financing projects
8 that include more than the non-Government share required
9 under subsection (i) the Secretary shall give equal consider-
10 ation to differences in the fiscal capacity of State and local
11 governments.

12 (k) *REPORTS.*—

13 (1) *ANNUAL REPORT.*—Not later than the first
14 Monday in February of each year, the Secretary shall
15 submit to the Committee on Transportation and In-
16 frastructure of the House of Representatives and the
17 Committee on Environment and Public Works of the
18 Senate a report that includes a proposal on the allo-
19 cation of amounts to be made available to finance
20 grants under this section.

21 (2) *RECOMMENDATIONS ON FUNDING.*—The an-
22 nual report under this paragraph shall include eval-
23 uations and ratings, as required under subsection (f).
24 The report shall also include recommendations of
25 projects for funding based on the evaluations and rat-

1 *ings and on existing commitments and anticipated*
2 *funding levels for the next 3 fiscal years and for the*
3 *next 10 fiscal years based on information currently*
4 *available to the Secretary.*

5 *(l) APPLICABILITY OF TITLE 23.—Funds made avail-*
6 *able to carry out this section shall be available for obliga-*
7 *tion in the same manner as if such funds were apportioned*
8 *under chapter 1 of title 23, United States Code; except that*
9 *such funds shall not be transferable and shall remain avail-*
10 *able until expended and the Federal share of the cost of a*
11 *project under this section shall be as provided in this sec-*
12 *tion.*

13 **SEC. 1305. DEDICATED TRUCK LANES.**

14 *(a) IN GENERAL.—The Secretary shall establish and*
15 *implement a pilot program to make allocations to States*
16 *for the construction of projects that separate commercial*
17 *truck traffic from other motor vehicle traffic. A State must*
18 *submit an application to the Secretary in order to receive*
19 *an allocation under this section.*

20 *(b) SELECTION PROCESS.—*

21 *(1) PRIORITY.—In the selection process under*
22 *this section, the Secretary shall give priority to*
23 *projects that provide additional capacity.*

1 (2) *SELECTION FACTORS.*—*In making alloca-*
2 *tions under this section, the Secretary shall consider*
3 *the following factors:*

4 (A) *The extent to which the project will im-*
5 *prove the safe and efficient movement of freight.*

6 (B) *The extent to which the project provides*
7 *positive separation of commercial trucks from*
8 *other motor vehicle traffic.*

9 (C) *The extent to which the project connects*
10 *an intermodal freight facility or an inter-*
11 *national port of entry to the Dwight D. Eisen-*
12 *hower National System of Interstate and Defense*
13 *Highways by providing limited access lanes that*
14 *allow commercial truck traffic to enter the Inter-*
15 *state System at the posted speed limit.*

16 (D) *The extent to which the project will re-*
17 *move truck traffic from surface streets.*

18 (E) *The extent to which travel time is ex-*
19 *pected to be reduced as a result of the proposed*
20 *project.*

21 (F) *The extent of leveraging of Federal*
22 *funds provided to carry out this section, includ-*
23 *ing—*

24 (i) *use of innovative financing;*

1 (ii) combination with funding pro-
2 vided under other sections of this Act and
3 title 23, United States Code; and

4 (iii) combination with other sources of
5 Federal, State, local, or private funding.

6 (c) *FEDERAL SHARE*.—The Federal share of the cost
7 of a project under this section shall be determined in accord-
8 ance with section 120(b) of title 23, United States Code.

9 (d) *APPLICABILITY OF TITLE 23*.—Except as provided
10 in subsection (d), funds made available by section
11 1101(a)(22) of this Act to carry out this section shall be
12 available for obligation in the same manner as if such funds
13 were apportioned under chapter 1 of title 23, United States
14 Code.

15 (e) *DEFINITIONS*.—In this section the following defini-
16 tions apply:

17 (1) *COMMERCIAL TRUCK*.—The term “commer-
18 cial truck” means a self-propelled or towed vehicle
19 used on highways in commerce principally to trans-
20 port cargo if the vehicle has a gross vehicle weight
21 rating or gross vehicle weight of at least 10,001
22 pounds, whichever is greater.

23 (2) *STATE*.—The term “State” has the meaning
24 such term has under section 101 of title 23, United
25 States Code.

1 **SEC. 1306. TRUCK PARKING FACILITIES.**

2 (a) *ESTABLISHMENT.*—*In cooperation with appro-*
3 *priate State, regional, and local governments, the Secretary*
4 *shall establish a pilot program to address the shortage of*
5 *long-term parking for commercial motor vehicles on the Na-*
6 *tional Highway System.*

7 (b) *ALLOCATION OF FUNDS.*—

8 (1) *IN GENERAL.*—*The Secretary shall allocate*
9 *funds made available to carry out this section among*
10 *States, metropolitan planning organizations, and*
11 *local governments.*

12 (2) *APPLICATIONS.*—*To be eligible for an alloca-*
13 *tion under this section, a State, metropolitan plan-*
14 *ning organization, or local government shall submit*
15 *to the Secretary an application at such time and con-*
16 *taining such information as the Secretary may re-*
17 *quire.*

18 (3) *ELIGIBLE PROJECTS.*—*Funds allocated*
19 *under this subsection shall be used by the recipient for*
20 *projects described in an application approved by the*
21 *Secretary. Such projects shall serve the National*
22 *Highway System and may include the following:*

23 (A) *Constructing safety rest areas, as de-*
24 *finied in section 120(c) of title 23, United States*
25 *Code, that include parking for commercial motor*
26 *vehicles.*

1 (B) *Constructing commercial motor vehicle*
2 *parking facilities adjacent to commercial truck*
3 *stops and travel plazas.*

4 (C) *Opening existing facilities to commer-*
5 *cial motor vehicle parking, including inspection*
6 *and weigh stations and park-and-ride facilities.*

7 (D) *Promoting the availability of publicly*
8 *or privately provided commercial motor vehicle*
9 *parking on the National Highway System using*
10 *intelligent transportation systems and other*
11 *means.*

12 (E) *Constructing turnouts along the Na-*
13 *tional Highway System for commercial motor*
14 *vehicles.*

15 (F) *Making capital improvements to public*
16 *commercial motor vehicle parking facilities cur-*
17 *rently closed on a seasonal basis to allow the fa-*
18 *cilities to remain open year-round.*

19 (G) *Improving the geometric design of*
20 *interchanges on the National Highway System to*
21 *improve access to commercial motor vehicle*
22 *parking facilities.*

23 (4) *PRIORITY.*—*In allocating funds made avail-*
24 *able to carry out this section, the Secretary shall give*
25 *priority to applicants that—*

1 (A) demonstrate a severe shortage of com-
2 mercial motor vehicle parking capacity in the
3 corridor to be addressed;

4 (B) have consulted with affected State and
5 local governments, community groups, private
6 providers of commercial motor vehicle parking,
7 and motorist and trucking organizations; and

8 (C) demonstrate that their proposed projects
9 are likely to have positive effects on highway
10 safety, traffic congestion, or air quality.

11 (c) *FUNDING.*—

12 (1) *IN GENERAL.*—There is authorized to be ap-
13 propriated from the Highway Trust Fund (other than
14 the Mass Transit Account) to carry out this section
15 \$5,000,000 for each of fiscal years 2005 through 2009.

16 (2) *CONTRACT AUTHORITY.*—Funds authorized
17 under this subsection shall be available for obligation
18 in the same manner as if the funds were apportioned
19 under chapter 1 of title 23, United States Code.

20 (d) *REPORT TO CONGRESS.*—Not later than 5 years
21 after the date of enactment of this Act, the Secretary shall
22 transmit to Congress a report on the results of the pilot
23 program.

24 (e) *FEDERAL SHARE.*—The Federal share of the cost
25 of a project carried out using amounts made available

1 *under this section shall be determined in accordance with*
 2 *sections 120(b) and 120(c) of title 23, United States Code.*

3 (f) *APPLICABILITY OF TITLE 23.*—*Notwithstanding*
 4 *any other provision of law, projects funded under this sec-*
 5 *tion shall be treated as projects on a Federal-aid system*
 6 *under chapter 1 of title 23, United States Code.*

7 ***Subtitle D—Highway Safety***

8 ***SEC. 1401. HIGHWAY SAFETY IMPROVEMENT PROGRAM.***

9 (a) *SAFETY IMPROVEMENT PROJECT DEFINED.*—*Sec-*
 10 *tion 101(a)(30) of title 23, United States Code, is amended*
 11 *by inserting “installs fluorescent, yellow-green signs at pe-*
 12 *destrian or bicycle crossings or school zones,” after “call*
 13 *boxes.”*

14 (b) *OPERATION LIFESAVER.*—*Section 104(d)(1) of*
 15 *such title is amended—*

16 (1) *by striking “subsection (b)(3) of this section”*
 17 *and inserting “section 130(f)”;* and

18 (2) *by striking “\$500,000” and inserting*
 19 *“\$600,000”.*

20 (c) *RAILWAY-HIGHWAY CROSSING HAZARD ELIMI-*
 21 *NATION IN HIGH SPEED RAIL CORRIDORS.*—

22 (1) *IN GENERAL.*—*Section 104(d)(2) of such title*
 23 *is amended—*

24 (A) *in subparagraph (A) by striking*
 25 *“\$5,250,000” and inserting “\$7,500,000 for each*

1 of fiscal years 2004 and 2005, \$10,000,000 for
2 each of fiscal years 2006 and 2007, and
3 \$15,000,000 for each of fiscal years 2008 and
4 2009”; and

5 (B) in subparagraph (E)—

6 (i) by striking “Not less than \$250,000
7 of such set-aside” and inserting “Of such
8 set-aside, not less than \$875,000 for each of
9 fiscal years 2004 and 2005, \$1,500,000 for
10 each of fiscal years 2006 and 2007, and
11 \$2,750,000 for each of fiscal years 2008 and
12 2009”; and

13 (ii) by striking “per fiscal year”.

14 (2) *DESIGNATION OF CORRIDORS.*—Of the rail
15 corridors selected by the Secretary in accordance with
16 section 104(d)(2) of title 23, United States Code—

17 (A) the Northern New England High Speed
18 Rail Corridor is expanded to include the train
19 routes from Boston, Massachusetts, to Albany,
20 New York, and from Springfield, Massachusetts,
21 to New Haven, Connecticut; and

22 (B) the South Central Corridor is expanded
23 to include the train route from Killeen, Texas, to
24 Houston, Texas, via Bryan-College Station.

25 (d) *RAILWAY-HIGHWAY CROSSINGS.*—

1 (1) *FUNDS FOR PROTECTIVE DEVICES.*—Section
2 130(e) of such title is amended—

3 (A) by striking “At” and inserting the fol-
4 lowing:

5 “(1) *IN GENERAL.*—At”; and

6 (B) by adding at the end the following:

7 “(2) *SPECIAL RULE.*—If a State demonstrates to
8 the satisfaction of the Secretary that the State has
9 met all its needs for installation of protective devices
10 at railway-highway crossings, the State may use
11 funds made available by this subsection for other pur-
12 poses by this section.”.

13 (2) *APPORTIONMENT.*—Section 130(f) of such
14 title is amended to read as follows:

15 “(f) *APPORTIONMENT.*—

16 “(1) *FORMULA.*—Fifty percent of the funds au-
17 thorized to be appropriated to carry out this section
18 shall be apportioned to the States in accordance with
19 the formula set forth in section 104(b)(3)(A), and 50
20 percent of such funds shall be apportioned to the
21 States in the ratio that total public railway-highway
22 crossings in each State bears to the total of such cross-
23 ings in all States.

24 “(2) *MINIMUM APPORTIONMENT.*—Notwith-
25 standing paragraph (1), each State shall receive a

1 *minimum of 1/2 of 1 percent of the funds apportioned*
2 *under paragraph (1).*

3 “(3) *FEDERAL SHARE.*—*The Federal share pay-*
4 *able on account of any project financed with funds*
5 *authorized to be appropriated to carry out this sec-*
6 *tion shall be 90 percent of the cost thereof.”.*

7 (3) *BIENNIAL REPORT TO CONGRESS.*—*The third*
8 *sentence of section 130(g) of such title is amended by*
9 *striking “not later than April 1 of each year,” and*
10 *inserting “, not later than April 1, 2006, and every*
11 *2 years thereafter,”.*

12 (4) *EXPENDITURE OF FUNDS.*—*Section 130 of*
13 *such title is further amended by adding at the end the*
14 *following:*

15 “(k) *EXPENDITURE OF FUNDS.*—*Not more than 2 per-*
16 *cent of funds apportioned to a State to carry out this sec-*
17 *tion may be used by the State for compilation and analysis*
18 *of data in support of activities carried out under subsection*
19 *(g).”.*

20 (e) *SURFACE TRANSPORTATION PROGRAM.*—

21 (1) *IN GENERAL.*—*Section 133(d) of such title is*
22 *amended—*

23 (A) *by striking paragraph (1); and*

1 (B) by redesignating paragraphs (2)
2 through (5) as paragraphs (1) through (4), re-
3 spectively; and

4 (C) in paragraph (2) (as so redesignated)—

5 (i) in subparagraph (A) by striking
6 “80 percent” and inserting “90 percent”;

7 (ii) in subparagraph (B) by striking
8 “tobe” and inserting “to be”; and

9 (iii) in subparagraph (D) by adding a
10 period at the end.

11 (2) CONFORMING AMENDMENTS.—

12 (A) SECTION 133.—Section 133(e) is amend-
13 ed by striking “(d)(2)” and inserting “(d)(1)” in
14 each of paragraphs (3)(B)(i), (5)(A), and (5)(B).

15 (B) SECTION 126.—Section 126(b) of such
16 title is amended—

17 (i) by striking “to the last sentence of
18 section 133(d)(1) or”;

19 (ii) by striking “section 133(d)(3)”
20 and inserting “section 133(d)(2)”; and

21 (iii) by striking “or 133(d)(2)”.

22 (f) HAZARD ELIMINATION PROGRAM.—

23 (1) PURPOSES.—Section 152(a)(1) of such title
24 is amended—

1 (A) by striking “and” after “bicyclists,”;
2 and

3 (B) by inserting after “pedestrians,” the fol-
4 lowing: “and the disabled, identify roadway safe-
5 ty improvement needs for such locations, sec-
6 tions, and elements,”.

7 (2) HAZARDS.—Section 152(a)(2)(A) of such
8 title is amended by inserting “the disabled,” after
9 “pedestrians,”.

10 (3) APPROVAL OF PROJECTS.—Section 152(b) of
11 such title is amended by inserting before the period at
12 the end the following: “that reduces the likelihood of
13 crashes involving road departures, intersections, pe-
14 destrians, the disabled, bicyclists, older drivers, or
15 construction work zones”.

16 (4) EXPENDITURE OF FUNDS.—Section 152(c) of
17 such title is amended—

18 (A) in paragraph (2) by striking “or” at
19 the end;

20 (B) in paragraph (3) by striking the period
21 at the end and inserting a semicolon; and

22 (C) by adding at the end the following:

23 “(4) police assistance for traffic and speed man-
24 agement in construction work zones;

1 “(5) *installation of barriers between construction*
2 *work zones and traffic lanes for the safety of motorists*
3 *and workers;*

4 “(6) *installation of protective devices at railway-*
5 *highway crossings; and*

6 “(7) *compilation and analysis of data under*
7 *subsections (f) and (g) if the funds used for this pur-*
8 *pose by a State do not exceed 2 percent of the amount*
9 *apportioned to such State to carry out this section.”.*

10 (5) *APPORTIONMENT.—Section 152(d) of such*
11 *title is amended to read as follows:*

12 “(d) *APPORTIONMENT.—*

13 “(1) *FORMULA.—Funds authorized to be appro-*
14 *priated to carry out this section shall be apportioned*
15 *to the States in accordance with the formula set forth*
16 *in section 104(b)(3)(A).*

17 “(2) *MINIMUM APPORTIONMENT.—Notwith-*
18 *standing paragraph (1), each State shall receive a*
19 *minimum of 1/2 of 1 percent of the funds apportioned*
20 *under paragraph (1).*

21 “(3) *FEDERAL SHARE.—The Federal share pay-*
22 *able on account of any project financed with funds*
23 *authorized to be appropriated to carry out this sec-*
24 *tion shall be 90 percent of the cost thereof.”.*

25 (6) *BIENNIAL REPORT TO CONGRESS.—*

1 (A) *IN GENERAL.*—Section 152 of such title
2 is amended by adding at the end the following:

3 “(i) *BIENNIAL REPORT TO CONGRESS.*—Not later than
4 2 years after the date of enactment of this subsection, and
5 every 2 years thereafter, the Secretary shall transmit to the
6 Committee on Transportation and Infrastructure of the
7 House of Representatives and the Committee on Environ-
8 ment and Public Works of the Senate a report on the results
9 of the program under this section. The report shall include,
10 at a minimum, the following:

11 “(1) A summary of State projects completed
12 under this section categorized by the types of hazards
13 and a statement of the cost of such projects.

14 “(2) An analysis of the effectiveness of such cat-
15 egories of projects in reducing the number and sever-
16 ity of crashes at high hazard locations.

17 “(3) An assessment of the adequacy of authorized
18 funding for the program and State use of such fund-
19 ing to address the national need for such projects.

20 “(4) Recommendations for funding and program
21 improvements to reduce the number of high hazard lo-
22 cations.

23 “(5) An analysis and evaluation of each State
24 program, an identification of any State found not to
25 be in compliance with the schedule of improvements

1 *required by subsection (a), and recommendations for*
2 *future implementation of the hazard elimination pro-*
3 *gram.”.*

4 (B) *CONFORMING AMENDMENT.*—*Section*
5 *152(g) of such title is amended by striking the*
6 *third sentence through the last sentence.*

7 (g) *EFFECTIVE DATE.*—*The amendments made by sub-*
8 *sections (b)(1), (d), (e), and (f) shall take effect on Sep-*
9 *tember 30, 2005.*

10 **SEC. 1402. WORKER INJURY PREVENTION AND FREE FLOW**
11 **OF VEHICULAR TRAFFIC.**

12 *Not later than 1 year after the date of enactment of*
13 *this Act, the Secretary shall issue regulations to decrease*
14 *the likelihood of worker injury and maintain the free flow*
15 *of vehicular traffic by requiring workers whose duties place*
16 *them on or in close proximity to a Federal-aid highway*
17 *(as defined in section 101 of title 23, United States Code)*
18 *to wear high visibility garments. Such regulations may also*
19 *require such other worker-safety measures for workers with*
20 *those duties as the Secretary determines appropriate.*

21 **SEC. 1403. HIGH RISK RURAL ROAD SAFETY IMPROVEMENT**
22 **PROGRAM.**

23 (a) *ESTABLISHMENT.*—*The Secretary shall establish*
24 *and implement a high risk rural road safety improvement*
25 *program in accordance with this section.*

1 **(b) ELIGIBLE PROJECTS.—**

2 **(1) IN GENERAL.—***Except as provided in para-*
3 *graph (2), a State may obligate funds apportioned to*
4 *it under this section only for construction and oper-*
5 *ational improvement projects on high risk rural roads*
6 *and only if the primary purpose of the project is to*
7 *improve highway safety on a high risk rural road.*

8 **(2) SPECIAL RULE.—***A State may use funds ap-*
9 *portioned to it under this section for any project ap-*
10 *proved by the Secretary under section 152 of title 23,*
11 *United States Code, if the State certifies to the Sec-*
12 *retary that it has no projects described in paragraph*
13 *(1).*

14 **(c) STATE ALLOCATION SYSTEM.—***Each State shall es-*
15 *tablish a system for allocating funds apportioned to it*
16 *under this section among projects eligible for assistance*
17 *under this section that have the highest benefits to highway*
18 *safety. Such system may include a safety management sys-*
19 *tem established by the State under section 303 of title 23,*
20 *United States Code, or a survey established pursuant to sec-*
21 *tion 152(a) of such title.*

22 **(d) APPORTIONMENT OF FUNDS.—***On October 1 of*
23 *each fiscal year, the Secretary shall apportion among States*
24 *sums authorized to be appropriated to carry out this section*
25 *for such fiscal year as follows:*

1 (1) $\frac{1}{3}$ in the ratio that—

2 (A) each State's public road lane mileage
3 for rural minor collectors and rural local roads;
4 bears to

5 (B) the total public road lane mileage for
6 rural minor collectors and rural local roads of
7 all States.

8 (2) $\frac{1}{3}$ in the ratio that—

9 (A) the population of areas other than ur-
10 banized areas in each State, as shown by the
11 most recent Government decennial census of pop-
12 ulation; bears to

13 (B) the population of all areas other than
14 urbanized areas in the United States, as shown
15 by that census.

16 (3) $\frac{1}{3}$ in the ratio that—

17 (A) the total vehicle miles traveled on public
18 roads in each State; bears to

19 (B) the total number of vehicle miles trav-
20 eled on public roads in all States.

21 (e) *APPLICABILITY OF TITLE 23.*—Funds made avail-
22 able to carry out this section shall be available for obliga-
23 tion in the same manner as if such funds were apportioned
24 under chapter 1 of title 23, United States Code; except that
25 such funds shall not be transferable and shall remain avail-

1 *able until expended and the Federal share of the cost of a*
2 *project under this section shall be 80 percent. Notwith-*
3 *standing any other provision of law, projects assisted under*
4 *this section shall be treated as projects on a Federal-aid*
5 *system under such chapter.*

6 (f) *DEFINITIONS.—In this section, the following defini-*
7 *tions apply:*

8 (1) *HIGH RISK RURAL ROAD.—The term “high*
9 *risk rural road” means any roadway functionally*
10 *classified as a rural major or minor collector or a*
11 *rural local road—*

12 (A) *on which the accident rate for fatalities*
13 *and incapacitating injuries exceeds the statewide*
14 *average for these functional classes of roadway;*
15 *or*

16 (B) *which will likely have increases in traf-*
17 *fic volume that are likely to create an accident*
18 *rate for fatalities and incapacitating injuries*
19 *that exceeds the statewide average for these func-*
20 *tional classes of roadway.*

21 (2) *STATE AND URBANIZED AREA.—The terms*
22 *“State” and “urbanized area” have the meaning such*
23 *terms have under section 101(a) of title 23, United*
24 *States Code.*

1 **SEC. 1404. TRANSFERS OF APPORTIONMENTS TO SAFETY**
2 **PROGRAMS.**

3 (a) *USE OF SAFETY BELTS AND MOTORCYCLE HEL-*
4 *METS.—Section 153(h) of title 23, United States Code, is*
5 *amended—*

6 (1) *in paragraph (2)—*

7 (A) *in the paragraph heading by striking*
8 *“THEREAFTER.—” and inserting “FISCAL*
9 *YEARS 1995–2004.—”; and*

10 (B) *by inserting “and ending before October*
11 *1, 2004,” after “September 30, 1994,”;*

12 (2) *by redesignating paragraphs (3) through (5)*
13 *as paragraphs (4) through (6), respectively;*

14 (3) *by inserting after paragraph (2) the fol-*
15 *lowing:*

16 “(3) *FISCAL YEAR 2005 AND THEREAFTER.—On*
17 *October 1, 2004, and each October 1 thereafter, if a*
18 *State does not have in effect a law described in sub-*
19 *section (a)(2), the Secretary shall transfer from the*
20 *funds apportioned to the State on that date under*
21 *each of subsections (b)(1), (b)(2), and (b)(3) of section*
22 *104 to the apportionment of the State under section*
23 *402 an amount equal to 3 percent of the funds appor-*
24 *tioned to the State under such subsections for fiscal*
25 *year 2003.”; and*

26 (4) *in paragraph (5) (as so redesignated)—*

1 (A) by striking “which is determined by
2 multiplying” and inserting “which, for fiscal
3 year 2005 and each fiscal year thereafter, is de-
4 termined by multiplying”; and

5 (B) in subparagraph (B) by striking “such
6 fiscal year” each place it appears and inserting
7 “fiscal year 2003”.

8 (b) *OPEN CONTAINER REQUIREMENTS*.—Section
9 154(c) of title 23, United States Code, is amended—

10 (1) in paragraph (2)—

11 (A) in the paragraph heading by striking
12 “FISCAL YEARS THEREAFTER” and inserting
13 “FISCAL YEAR 2004”; and

14 (B) by striking “and each October 1 there-
15 after,”;

16 (2) by redesignating paragraphs (3) through (7)
17 as paragraphs (4) through (8), respectively;

18 (3) by inserting after paragraph (2) the fol-
19 lowing:

20 “(3) *FISCAL YEAR 2005 AND THEREAFTER*.—On
21 October 1, 2004, and each October 1 thereafter, if a
22 State has not enacted or is not enforcing an open con-
23 tainer law described in subsection (b), the Secretary
24 shall transfer from the funds apportioned to the State
25 on that date under each of paragraphs (1), (3), and

1 (4) of section 104(b) an amount equal to 3 percent of
2 the funds apportioned to the State under such para-
3 graphs for fiscal year 2003 to be used or directed as
4 described in subparagraph (A) or (B) of paragraph
5 (1).”;

6 (4) in paragraph (5) (as so redesignated) by
7 striking “paragraph (3)” and inserting “paragraph
8 (4)”;

9 (5) in paragraphs (4), (5), and (6) (as so redesi-
10 gnated) by striking “paragraph (1) or (2)” and in-
11 serting “paragraph (1), (2), or (3)”; and

12 (6) in paragraph (7)(B) (as so redesignated)—

13 (A) by striking “The amount” and inserting
14 “For fiscal year 2005 and each fiscal year there-
15 after, the amount”; and

16 (B) in subclauses (I) and (II) of clause (ii)
17 by striking “the fiscal year” and inserting “fis-
18 cal year 2003”.

19 (c) *MINIMUM PENALTIES FOR CERTAIN REPEAT OF-*
20 *FENDERS.*—Section 164(b) of title 23, United States Code,
21 *is amended—*

22 (1) in paragraph (2)—

23 (A) in the paragraph heading by striking
24 “AND FISCAL YEARS THEREAFTER” and inserting
25 “FISCAL YEAR 2004”; and

1 (B) by striking “and each October 1 there-
2 after,”;

3 (2) by redesignating paragraphs (3) through (7)
4 as paragraphs (4) through (8), respectively;

5 (3) by inserting after paragraph (2) the fol-
6 lowing:

7 “(3) *FISCAL YEAR 2005 AND THEREAFTER.*—On
8 October 1, 2004, and each October 1 thereafter, if a
9 State has not enacted or is not enforcing a repeat in-
10 toxicated driver law, the Secretary shall transfer from
11 the funds apportioned to the State on that date under
12 each of paragraphs (1), (3), and (4) of section 104(b)
13 an amount equal to 3 percent of the funds appor-
14 tioned to the State under such paragraphs for fiscal
15 year 2003 to be used or directed as described in sub-
16 paragraph (A) or (B) of paragraph (1).”;

17 (4) in paragraph (5) (as so redesignated) by
18 striking “paragraph (3)” and inserting “paragraph
19 (4)”;

20 (5) in paragraphs (4), (5), and (6) (as so redesi-
21 gnated) by striking “paragraph (1) or (2)” and in-
22 serting “paragraph (1), (2), or (3)”;

23 (6) in paragraph (7)(B) (as so redesignated)—

1 (A) by striking “The amount” and inserting
2 “*For fiscal year 2005 and each fiscal year there-*
3 *after, the amount*”; and

4 (B) in subclauses (I) and (II) of clause (ii)
5 by striking “the fiscal year” and inserting “*fis-*
6 *cal year 2003*”.

7 **SEC. 1405. SAFETY INCENTIVE GRANTS FOR USE OF SEAT**
8 **BELTS.**

9 Section 157(g)(1) of title 23, United States Code, is
10 amended by striking “for fiscal year 2004” and all that
11 follows through “2005” and inserting “and for each of fiscal
12 years 2003, 2004, and 2005”.

13 **SEC. 1406. SAFETY INCENTIVES TO PREVENT OPERATION**
14 **OF MOTOR VEHICLES BY INTOXICATED PER-**
15 **SONS.**

16 (a) *CODIFICATION OF PENALTY.*—Section 163 of title
17 23, United States Code, is amended—

18 (1) by redesignating subsection (e) as subsection
19 (f); and

20 (2) by inserting after subsection (d) the fol-
21 lowing:

22 “(e) *PENALTY.*—

23 “(1) *IN GENERAL.*—On October 1, 2003, and Oc-
24 tober 1 of each fiscal year thereafter, if a State has
25 not enacted or is not enforcing a law described in

1 subsection (a), the Secretary shall withhold from
2 amounts apportioned to the State on that date under
3 each of paragraphs (1), (3), and (4) of section 104(b)
4 an amount equal to the amount specified in para-
5 graph (2).

6 “(2) *AMOUNT TO BE WITHHELD.*—If a State is
7 subject to a penalty under paragraph (1), the Sec-
8 retary shall withhold for a fiscal year from the appor-
9 tionments of the State described in paragraph (1) an
10 amount equal to a percentage of the funds appor-
11 tioned to the State under paragraphs (1), (3), and (4)
12 of section 104(b) for fiscal year 2003. The percentage
13 shall be as follows:

14 “(A) For fiscal year 2004, 2 percent.

15 “(B) For fiscal year 2005, 4 percent.

16 “(C) For fiscal year 2006, 6 percent.

17 “(D) For fiscal year 2007, and each fiscal
18 year thereafter, 8 percent.

19 “(3) *FAILURE TO COMPLY.*—If, within 4 years
20 from the date that an apportionment for a State is
21 withheld in accordance with this subsection, the Sec-
22 retary determines that the State has enacted and is
23 enforcing a law described in subsection (a), the ap-
24 portionment of the State shall be increased by an
25 amount equal to the amount withheld. If, at the end

1 of such 4-year period, any State has not enacted or
2 is not enforcing a law described in subsection (a) any
3 amounts so withheld from such State shall lapse.”.

4 (b) *AUTHORIZATION OF APPROPRIATIONS.*—Section
5 163(f)(1) of such title, as redesignated by subsection (a)(1)
6 of this section, is amended by striking “for fiscal year 2004”
7 and all that follows through “2005” and inserting “and for
8 each of fiscal years 2004 and 2005”.

9 (c) *REPEAL.*—Section 351 of the Department of Trans-
10 portation and Related Agencies Appropriations Act, 2001
11 (23 U.S.C. 163 note; 114 Stat. 1356A–34) is repealed.

12 **SEC. 1407. REPEAT OFFENDERS FOR DRIVING WHILE IN-**
13 **TOXICATED.**

14 Section 164(a)(5)(A) of title 23, United States Code,
15 is amended to read as follows:

16 “(A) receive (i) a driver’s license suspension
17 for not less than 1 year, or (ii) a combination
18 of suspension of all driving privileges of an indi-
19 vidual for the first 45 days of the suspension pe-
20 riod followed by a reinstatement of limited driv-
21 ing privileges for the propose of getting to and
22 from work, school, or an alcohol treatment pro-
23 gram if an ignition interlock device is installed
24 on each of the motor vehicles owned or operated,
25 or both, by the individual;”.

1 **SEC. 1408. REPAIR OR REPLACEMENT OF HIGHWAY FEAT-**
2 **TURES ON NATIONAL HIGHWAY SYSTEM.**

3 (a) *RULEMAKING PROCEEDING.*—The Secretary shall
4 conduct a rulemaking proceeding to determine the appro-
5 priate conditions under which a State when choosing to re-
6 pair or replace damaged highway features on the National
7 Highway System with State funds (rather than with avail-
8 able Federal financial assistance) should be required to re-
9 pair or replace such features with highway features that
10 have been tested, evaluated, and found to be acceptable
11 under the guidelines contained in the report of the Trans-
12 portation Research Board of the National Research Council
13 entitled “NCHRP Report 350-Recommended Procedures for
14 the Safety Performance Evaluation of Highway Features”.

15 (b) *MATTERS TO BE CONSIDERED.*—The rulemaking
16 proceeding shall cover those highway features that are cov-
17 ered by the guidelines referred to in subsection (a). The con-
18 ditions to be considered by the Secretary in the rulemaking
19 proceeding shall include types of highway features, cost-ef-
20 fectiveness, and practicality of replacement with highway
21 features that have been found to be acceptable under such
22 guidelines.

23 (c) *REGULATIONS.*—Not later than 1 year after the
24 date of enactment of this Act, the Secretary shall issue regu-
25 lations regarding the conditions under which States when
26 choosing to repair or replace damaged highway features de-

1 *scribed in subsection (a) will be required to repair or re-*
 2 *place such features with highway features that have been*
 3 *tested, evaluated, and found to be acceptable as described*
 4 *in subsection (a).*

5 ***Subtitle E—Construction and***
 6 ***Contract Efficiencies***

7 ***SEC. 1501. DESIGN-BUILD.***

8 (a) ***QUALIFIED PROJECTS.***—*Section 112(b)(3)(C) of*
 9 *title 23, United States Code, is amended to read as follows:*

10 “(C) ***QUALIFIED PROJECTS.***—*A qualified*
 11 *project referred to in subparagraph (A) is a*
 12 *project under this chapter for which the Sec-*
 13 *retary has approved the use of design-build con-*
 14 *tracting under criteria specified in regulations*
 15 *issued by the Secretary.”.*

16 (b) ***EXPERIMENTAL PROCUREMENT.***—*Section*
 17 *112(b)(3) of such title is further amended—*

18 (1) *by redesigning subparagraph (D) as sub-*
 19 *paragraph (G); and*

20 (2) *by inserting after subparagraph (C) the fol-*
 21 *lowing:*

22 “(D) ***EXPERIMENTAL PROCUREMENT.***—*As*
 23 *part of any experimental program carried out*
 24 *under this section, the Secretary shall evaluate*
 25 *the use of procurement procedures under this*

1 *paragraph where subjective evaluation criteria*
2 *account for the majority of the selection deter-*
3 *mination.*

4 “(E) *LIMITATION ON STATUTORY CON-*
5 *STRUCTION.—Nothing in this section shall be*
6 *construed as effecting the authority to carry out*
7 *any experimental program concerning design-*
8 *build contracting that is being carried out by the*
9 *Secretary on the date of enactment of this sub-*
10 *paragraph.*

11 “(F) *REPORT.—Not later than 3 years after*
12 *the date of enactment of this subparagraph, the*
13 *Secretary shall transmit to Congress a report on*
14 *the effectiveness of design-build contracting pro-*
15 *cedures in which the majority of the selection de-*
16 *terminations are made based on subjective cri-*
17 *teria in accordance with subparagraph (D).”.*

18 **SEC. 1502. WARRANTY HIGHWAY CONSTRUCTION PROJECT**

19 **PILOT PROGRAM.**

20 “(a) *IN GENERAL.—The Secretary shall establish and*
21 *implement a pilot program designed to encourage States*
22 *to incorporate warranties in the letting of contracts for*
23 *highway construction projects.*

1 (b) *MAXIMUM NUMBER OF PROJECTS.*—*The Secretary*
2 *may allow not more than 15 projects a year to be carried*
3 *out under the pilot program.*

4 (c) *FEDERAL SHARE.*—*The Federal share of the costs*
5 *of a project under the pilot program may not exceed 90*
6 *percent.*

7 (d) *MINIMUM PROJECT COST.*—*The estimated total*
8 *cost of a project to be carried out under the pilot program*
9 *must be greater than \$15,000,000.*

10 (e) *SELECTION PROCESS.*—*In the selection process for*
11 *the pilot program, the Secretary shall select, to the extent*
12 *possible, projects from several different regions of the United*
13 *States in order to demonstrate the effects that different cli-*
14 *mates and traffic patterns have on warranty highway con-*
15 *struction projects.*

16 (f) *RULEMAKING.*—

17 (1) *IN GENERAL.*—*Not later than 1 year after*
18 *the date of enactment of this Act, the Secretary shall*
19 *issue a rule to implement the pilot program. The rule*
20 *shall include the following factors for eligibility of a*
21 *highway construction project to be included in the*
22 *program:*

23 (A) *A requirement that the contract for the*
24 *project must include a long-term limited war-*

1 *ranty that is of a duration sufficient to ensure*
2 *that—*

3 *(i) the cost to the State of the project*
4 *that will be carried out is less than the esti-*
5 *mated cost to construct the project without*
6 *the warranty plus the estimated costs that*
7 *would be incurred by the State and that*
8 *would otherwise be covered during the pro-*
9 *posed warranty period if a warranty were*
10 *in effect; and*

11 *(ii) the estimated cost to road users*
12 *during the warranty period is less than*
13 *such estimated cost without a warranty.*

14 *(B) In determining the sufficient duration*
15 *of a long-term limited warranty under subpara-*
16 *graph (A), the Secretary shall establish separate*
17 *sufficient durations for different types of*
18 *projects, such as initial construction, pavement*
19 *resurfacing and rehabilitation, and pavement*
20 *markings.*

21 *(C) A requirement that the limited war-*
22 *ranty must address, at a minimum—*

23 *(i) the responsibilities of the warranty*
24 *provider;*

1 (ii) the responsibilities of the Depart-
2 ment of Transportation;

3 (iii) the terms of the warranty, includ-
4 ing duration and, if applicable, traffic vol-
5 umes and vehicle classification; and

6 (iv) performance criteria to be met to
7 determine if maintenance is required.

8 (2) *FACTORS TO CONSIDER.*—In issuing the rule,
9 the Secretary may consider the following factors as
10 requirements for the warranty contract for eligibility
11 under the pilot program:

12 (A) A plan to account for inflation during
13 the warranty period.

14 (B) The frequency of performance assess-
15 ments performed.

16 (C) The response time for repairs.

17 (D) A plan for emergency repairs.

18 (E) Clearly set out limits of liability under
19 the warranty, if any.

20 (F) Dispute resolution provisions.

21 (G) A severability provision.

22 (H) Other provisions the Secretary con-
23 siders necessary for carrying out the program.

24 (g) *SAVINGS.*—Section 112 of title 23, United States
25 Code, shall apply to the projects carried out under this sec-

1 *tion unless the Secretary determines that applying such sec-*
2 *tion to such projects is inconsistent with the provisions of*
3 *this section.*

4 *(h) REPORTS.—Not later than 5 years after the date*
5 *of enactment of this Act and every year thereafter, the Sec-*
6 *retary shall transmit to the Committee on Transportation*
7 *and Infrastructure of the House of Representatives and the*
8 *Committee on Environment and Public Works of the Senate*
9 *a report outlining activities carried out under the program*
10 *and the results of the program.*

11 **SEC. 1503. PRIVATE INVESTMENT STUDY.**

12 *(a) STUDY.—Not later than 6 months after the date*
13 *of enactment of this Act, the Secretary shall enter into an*
14 *agreement with the National Academy of Sciences to con-*
15 *duct a comprehensive study of private investment in surface*
16 *transportation infrastructure.*

17 *(b) MATTERS TO BE EVALUATED.—Under the agree-*
18 *ment, the National Academy of Sciences shall evaluate the*
19 *advantages and disadvantages of private investment in sur-*
20 *face transportation infrastructure and the impact of such*
21 *investment on the ability of State and local authorities to*
22 *use innovative financing, including—*

23 *(1) preconstruction funding requirements;*

24 *(2) integration of private investment in the*
25 *transportation planning process;*

1 (3) *use of toll revenues by State and local au-*
2 *thorities;*

3 (4) *use of toll credits by State and local authori-*
4 *ties;*

5 (5) *requirements for debt financing instruments,*
6 *reimbursable expenses, and conditions on payments;*

7 (6) *limitation on fees charged at federally funded*
8 *fringe and corridor parking facilities;*

9 (7) *revenues needed to provide a reasonable rate*
10 *of return to private investors;*

11 (8) *costs to users of facilities due to imposition*
12 *of tolls;*

13 (9) *sales-in-lease-out arrangement of transpor-*
14 *tation assets; and*

15 (10) *such other matters as the Secretary con-*
16 *siders appropriate.*

17 (c) *REPORT.—*

18 (1) *TO SECRETARY.—Under the agreement, the*
19 *National Academy of Sciences shall submit to the Sec-*
20 *retary a report on the results of the study by such*
21 *date as the Secretary may require.*

22 (2) *TO CONGRESS.—Not later than January 1,*
23 *2007, the Secretary shall transmit to the Committee*
24 *on Transportation and Infrastructure of the House of*
25 *Representatives and the Committee on Environment*

1 *and Public Works of the Senate a copy of the report*
2 *of the National Academy of Sciences, together with*
3 *such recommendations as the Secretary considers ap-*
4 *propriate.*

5 **SEC. 1504. HIGHWAYS FOR LIFE PILOT PROGRAM.**

6 (a) *ESTABLISHMENT.*—

7 (1) *IN GENERAL.*—*The Secretary shall establish*
8 *and implement a pilot program to be known as the*
9 *“Highways for LIFE pilot program”.*

10 (2) *PURPOSE.*—*The purpose of the pilot program*
11 *shall be to advance longer-lasting highways using in-*
12 *novative technologies and practices to accomplish the*
13 *fast construction of efficient and safe highways and*
14 *bridges.*

15 (3) *OBJECTIVES.*—*Under the pilot program, the*
16 *Secretary shall provide leadership and incentives to*
17 *demonstrate and promote state-of-the-art technologies,*
18 *elevated performance standards, and new business*
19 *practices in the highway construction process that re-*
20 *sult in improved safety, faster construction, reduced*
21 *congestion from construction, and improved quality*
22 *and user satisfaction.*

23 (b) *PROJECTS.*—

24 (1) *APPLICATIONS.*—*To be eligible to participate*
25 *in the pilot program, a State shall submit to the Sec-*

1 *retary an application that is in such form and con-*
2 *tains such information as the Secretary requires.*
3 *Each application shall contain a description of pro-*
4 *posed projects to be carried by the State under the*
5 *pilot program.*

6 (2) *ELIGIBILITY.—A proposed project shall be el-*
7 *igible for assistance under the pilot program if the*
8 *project—*

9 (A) *constructs, reconstructs, or rehabilitates*
10 *a route or connection on a Federal-aid highway*
11 *eligible for assistance under chapter 1 of title 23,*
12 *United States Code;*

13 (B) *uses innovative technologies, manufac-*
14 *turing processes, financing, or contracting meth-*
15 *ods that improve safety, reduce congestion due to*
16 *construction, and improve quality; and*

17 (C) *meets additional criteria as determined*
18 *by the Secretary.*

19 (3) *PROJECT PROPOSAL.—A project proposal*
20 *submitted under paragraph (1) shall contain—*

21 (A) *an identification and description of the*
22 *projects to be delivered;*

23 (B) *a description of how the projects will*
24 *result in improved safety, faster construction, re-*

1 *duced congestion due to construction, user satis-*
2 *faction, and improved quality;*

3 *(C) a description of the innovative tech-*
4 *nologies, manufacturing processes, financing,*
5 *and contracting methods that will be used for the*
6 *proposed projects; and*

7 *(D) such other information as the Secretary*
8 *may require.*

9 *(4) SELECTION CRITERIA.—In selecting projects*
10 *for approval under this section, the Secretary shall*
11 *ensure that the projects provide an evaluation of a*
12 *broad range of technologies in a wide variety of*
13 *project types and shall give priority to the projects*
14 *that—*

15 *(A) address achieving the Highways for*
16 *LIFE performance standards for quality, safety,*
17 *and speed of construction;*

18 *(B) deliver and deploy innovative tech-*
19 *nologies, manufacturing processes, financing,*
20 *contracting practices, and performance measures*
21 *that will demonstrate substantial improvements*
22 *in safety, congestion, quality, and cost-effective-*
23 *ness;*

24 *(C) include innovation that will lead to*
25 *change in the administration of the State's*

1 *transportation program to more quickly con-*
2 *struct long-lasting, high-quality, cost-effective*
3 *projects that improve safety and reduce conges-*
4 *tion;*

5 *(D) are or will be ready for construction*
6 *within 12 months of approval of the project pro-*
7 *posal; and*

8 *(E) meet such other criteria as the Sec-*
9 *retary determines appropriate.*

10 (5) *FINANCIAL ASSISTANCE.—*

11 *(A) FUNDS FOR HIGHWAYS FOR LIFE*
12 *PROJECTS.—Out of amounts made available to*
13 *carry out this section for a fiscal year, the Sec-*
14 *retary may allocate to a State up to 20 percent,*
15 *but not more than \$15,000,000, of the total cost*
16 *of a project approved under this section. Not-*
17 *withstanding any other provision of law, funds*
18 *allocated to a State under this subparagraph*
19 *may be applied to the non-Federal share of the*
20 *cost of construction of a project under title 23,*
21 *United States Code.*

22 *(B) USE OF APPORTIONED FUNDS.—A State*
23 *may obligate not more than 10 percent of the*
24 *amount apportioned to the State under 1 or*
25 *more of paragraphs (1), (2), (3), and (4) of sec-*

1 *tion 104(b) of title 23, United States Code, for*
2 *a fiscal year for projects approved under this sec-*
3 *tion.*

4 (C) *INCREASED FEDERAL SHARE.—Not-*
5 *withstanding sections 120 and 129 of title 23,*
6 *United States Code, the Federal share payable on*
7 *account of any project constructed with Federal*
8 *funds allocated under this section, or appor-*
9 *tioned under section 104(b) of such title, to a*
10 *State under such title and approved under this*
11 *section may amount to 100 percent of the cost of*
12 *construction of such project.*

13 (D) *LIMITATION ON STATUTORY CONSTRUC-*
14 *TION.—Except as provided in subparagraph (C),*
15 *nothing in this subsection shall be construed as*
16 *altering or otherwise affecting the applicability*
17 *of the requirements of chapter 1 of title 23,*
18 *United States Code (including requirements re-*
19 *lating to the eligibility of a project for assistance*
20 *under the program and the location of the*
21 *project), to amounts apportioned to a State for*
22 *a program under section 104(b) that are obli-*
23 *gated by the State for projects approved under*
24 *this subsection.*

1 (6) *PROJECT SELECTIONS.*—*In the period of fis-*
2 *cal years 2005 through 2009, the Secretary shall ap-*
3 *prove at least one project in each State for participa-*
4 *tion in the pilot program and for financial assistance*
5 *under paragraph (5) if the State submits an applica-*
6 *tion and the project meets the eligibility requirements*
7 *and selection criteria under this subsection.*

8 (c) *TECHNOLOGY PARTNERSHIPS.*—

9 (1) *IN GENERAL.*—*The Secretary may make*
10 *grants or enter into cooperative agreements or other*
11 *transactions to foster the development, improvement,*
12 *and creation of innovative technologies and facilities*
13 *to improve safety, enhance the speed of highway con-*
14 *struction, and improve the quality and durability of*
15 *highways.*

16 (2) *FEDERAL SHARE.*—*The Federal share of the*
17 *cost of an activity carried out under this subsection*
18 *shall not exceed 80 percent.*

19 (d) *TECHNOLOGY TRANSFER AND INFORMATION DIS-*
20 *SEMINATION.*—

21 (1) *IN GENERAL.*—*The Secretary shall conduct a*
22 *Highways for LIFE technology transfer program.*

23 (2) *AVAILABILITY OF INFORMATION.*—*The Sec-*
24 *retary shall ensure that the information and tech-*
25 *nology used, developed, or deployed under this sub-*

1 (B) by striking “offered into the capital
2 markets”;

3 (2) by striking paragraph (7);

4 (3) by redesignating paragraphs (8) through (15)
5 as paragraphs (7) through (14), respectively;

6 (4) by striking the period at the end of para-
7 graph (8)(B) (as so redesignated) and inserting a
8 semicolon; and

9 (5) in paragraph (10) (as so redesignated) by
10 striking “bond” and inserting “credit”.

11 (b) *DETERMINATION OF ELIGIBILITY.*—Section 182(a)
12 of such title is amended—

13 (1) by striking paragraphs (1) and (2) and in-
14 serting the following:

15 “(1) *INCLUSION IN TRANSPORTATION PLANS AND*
16 *PROGRAMS.*—The project shall satisfy the applicable
17 planning and programming requirements of sections
18 134 and 135 at such time as an agreement to make
19 available a Federal credit instrument is entered into
20 under this subchapter.

21 “(2) *APPLICATION.*—A State, a local government,
22 public authority, public-private partnership, or any
23 other legal entity undertaking the project and author-
24 ized by the Secretary, shall submit a project applica-
25 tion to the Secretary.”;

1 (2) in paragraph (3)(A)(i) by striking
2 “\$100,000,000” and inserting “\$50,000,000”;

3 (3) in paragraph (3)(B) by striking
4 “\$30,000,000” and inserting “\$15,000,000”; and

5 (4) in paragraph (4)—

6 (A) by striking “Project financing” and in-
7 serting “The Federal credit instrument”; and

8 (B) by inserting before the period at the end
9 “that also secure the project obligations”.

10 (c) *PROJECT SELECTION*.—Section 182(b) of such title
11 is amended—

12 (1) in paragraph (1) by striking “criteria” the
13 second place it appears and inserting “requirements”;
14 and

15 (2) in paragraph (2)(B) by inserting “, which
16 may be the Federal credit instrument,” after “obliga-
17 tions”.

18 (d) *SECURED LOANS*.—

19 (1) *AGREEMENTS*.—Section 183(a)(1) of such
20 title is amended—

21 (A) in each of subparagraphs (A) and (B)
22 by inserting “of any project selected under sec-
23 tion 602” after “costs”; and

1 (B) by striking the semicolon at the end of
2 subparagraph (B) and all that follows through
3 “under section 602”.

4 (2) *INVESTMENT-GRADE RATING REQUIRE-*
5 *MENT.*—Section 183(a)(4) of such title is amended—

6 (A) by striking “The funding” and insert-
7 ing “The execution”; and

8 (B) by striking the first comma and all that
9 follows through “1 rating agency”.

10 (3) *TERMS AND LIMITATIONS.*—Section 183(b) of
11 such title is amended—

12 (A) in paragraph (2) by inserting “the less-
13 er of” after “exceed”;

14 (B) in paragraph (2) by inserting “or the
15 amount of the senior project obligations” after
16 “costs”;

17 (C) in paragraph (3)(A)(i) by inserting
18 “that also secure the senior project obligations”
19 after “sources”; and

20 (D) in paragraph (4) by striking “market-
21 able”.

22 (4) *REPAYMENT.*—Section 183(c) is amended—

23 (A) by striking paragraph (3); and

24 (B) by redesignating paragraphs (4) and
25 (5) as paragraphs (3) and (4), respectively.

1 (e) *LINES OF CREDIT.*—

2 (1) *TERMS AND LIMITATIONS.*—Section 184(b) of
3 *such title is amended—*

4 (A) *in paragraph (3)—*

5 (i) *by striking the first comma; and*

6 (ii) *by striking “any debt service re-*
7 *serve fund, and any other available reserve”*
8 *and inserting “but not including reasonably*
9 *required financing reserves”;*

10 (B) *in paragraph (4)—*

11 (i) *by striking “marketable”;*

12 (ii) *by striking “on which” and insert-*
13 *ing “of execution of”;* and

14 (iii) *by striking “is obligated” and in-*
15 *serting “agreement”;* and

16 (C) *in paragraph (5)(A)(i) by inserting*
17 *“that also secure the senior project obligations”*
18 *after “sources”;* and

19 (2) *REPAYMENT.*—Section 184(c) of *such title is*
20 *amended—*

21 (A) *in paragraph (2)—*

22 (i) *by striking “scheduled”;*

23 (ii) *by inserting “be scheduled to” after*
24 *“shall”;* and

1 (iii) by striking “be fully repaid, with
2 interest,” and inserting “conclude, with full
3 repayment of principal and interest,”; and
4 (B) by striking paragraph (3).

5 (f) *PROGRAM ADMINISTRATION.*—Section 185 of such
6 title is amended to read as follows:

7 **“§ 185. Program administration**

8 “(a) *REQUIREMENT.*—The Secretary shall establish a
9 uniform system to service the Federal credit instrument
10 made available under this chapter.

11 “(b) *FEES.*—The Secretary may establish fees at a
12 level to cover all or a portion of the costs to the Federal
13 Government of servicing the Federal credit instrument.

14 “(c) *SERVICES.*—The Secretary may identify a finan-
15 cial entity to assist the Secretary in servicing a Federal
16 credit instrument. The services—

17 “(1) shall act as the agent for the Secretary; and

18 “(2) shall receive a servicing fee, subject to ap-
19 proval by the Secretary.

20 “(d) *ASSISTANCE FROM EXPERT FIRMS.*—The Sec-
21 retary may retain the services of one or more expert firms,
22 including counsel, in the field of municipal and project fi-
23 nance to assist in the underwriting and servicing of Federal
24 credit instruments.”.

1 (g) *FUNDING.*—Section 188 of such title is amended
2 to read as follows:

3 **“§ 188. Funding**

4 “(a) *FUNDING.*—

5 “(1) *IN GENERAL.*—There are authorized to be
6 appropriated from the Highway Trust Fund (other
7 than the Mass Transit Account) \$130,000,000 for fis-
8 cal year 2004 and \$140,000,000 for each of fiscal
9 years 2005 through 2009 to carry out this chapter.

10 “(2) *ADMINISTRATIVE COSTS.*—From funds
11 made available under paragraph (1), the Secretary
12 may use, for the administration of this subchapter,
13 not more than \$3,000,000 for each of fiscal years
14 2004 through 2009.

15 “(3) *AVAILABILITY.*—Amounts made available
16 under paragraph (1) shall remain available until ex-
17 pended.

18 “(b) *CONTRACT AUTHORITY.*—

19 “(1) *IN GENERAL.*—Notwithstanding any other
20 provision of law, approval by the Secretary of a Fed-
21 eral credit instrument that uses funds made available
22 under this chapter shall be deemed to be acceptance
23 by the United States of a contractual obligation to
24 fund the Federal credit instrument.

1 “(2) *AVAILABILITY.*—Amounts authorized under
2 this section for a fiscal year shall be available for ob-
3 ligation on October 1 of the fiscal year.

4 “(c) *LIMITATIONS ON CREDIT AMOUNTS.*—For each of
5 fiscal years 2004 through 2009, principal amounts of Fed-
6 eral credit instruments made available under this chapter
7 shall be limited to \$2,600,000,000.”.

8 **SEC. 1602. STATE INFRASTRUCTURE BANKS.**

9 (a) *IN GENERAL.*—Section 189 of title 23, United
10 States Code, is amended to read as follows:

11 **“§ 189. State infrastructure bank program**

12 “(a) *DEFINITIONS.*—In this section, the following defi-
13 nitions apply:

14 “(1) *CAPITAL PROJECT.*—The term ‘capital
15 project’ has the meaning such term has under section
16 5302 of title 49, United States Code.

17 “(2) *OTHER FORMS OF CREDIT ASSISTANCE.*—
18 The term ‘other forms of credit assistance’ includes
19 any use of funds in an infrastructure bank—

20 “(A) to provide credit enhancements;

21 “(B) to serve as a capital reserve for bond
22 or debt instrument financing;

23 “(C) to subsidize interest rates;

1 “(D) to insure or guarantee letters of credit
2 and credit instruments against credit risk of
3 loss;

4 “(E) to finance purchase and lease agree-
5 ments with respect to transit projects;

6 “(F) to provide bond or debt financing in-
7 strument security; and

8 “(G) to provide other forms of debt financ-
9 ing and methods of leveraging funds that are ap-
10 proved by the Secretary and that relate to the
11 project with respect to which such assistance is
12 being provided.

13 “(3) STATE.—The term ‘State’ has the meaning
14 such term has under section 401 of this title.

15 “(4) CAPITALIZATION.—The term ‘capitalization’
16 means the process used for depositing funds as initial
17 capital into a State infrastructure bank to establish
18 the infrastructure bank.

19 “(5) COOPERATIVE AGREEMENT.—The term ‘co-
20 operative agreement’ means written consent between a
21 State and the Secretary which sets forth the manner
22 in which the infrastructure bank established by the
23 State in accordance with this section will be adminis-
24 tered.

1 “(6) *LOAN*.—The term ‘loan’ means any form of
2 *direct financial assistance from a State infrastructure*
3 *bank that is required to be repaid over a period of*
4 *time and that is provided to a project sponsor for all*
5 *or part of the costs of the project.*

6 “(7) *GUARANTEE*.—The term ‘guarantee’ means
7 *a contract entered into by a State infrastructure bank*
8 *in which the bank agrees to take responsibility for all*
9 *or a portion of a project sponsor’s financial obliga-*
10 *tions for a project under specified conditions.*

11 “(8) *INITIAL ASSISTANCE*.—The term ‘initial as-
12 *sistance’ means the first round of funds that are*
13 *loaned or used for credit enhancement by a State in-*
14 *frastructure bank for projects eligible for assistance*
15 *under this section.*

16 “(9) *LEVERAGE*.—The term ‘leverage’ means a
17 *financial structure used to increase funds in a State*
18 *infrastructure bank through the issuance of debt in-*
19 *struments.*

20 “(10) *LEVERAGED*.—The term ‘leveraged’, as
21 *used with respect to a State infrastructure bank,*
22 *means that the bank has total potential liabilities*
23 *that exceed the capital of the bank.*

24 “(b) *COOPERATIVE AGREEMENTS*.—Subject to the pro-
25 *visions of this section, the Secretary may enter into coopera-*

1 *tive agreements with States for the establishment of State*
2 *infrastructure banks for making loans and providing other*
3 *forms of credit assistance to public and private entities car-*
4 *rying out or proposing to carry out projects eligible for as-*
5 *sistance under this section.*

6 “(d) *FUNDING.*—

7 “(1) *HIGHWAY ACCOUNT.*—*Subject to subsection*
8 *(j), the Secretary may permit a State entering into*
9 *a cooperative agreement under this section to establish*
10 *a State infrastructure bank to deposit into the high-*
11 *way account of the bank not to exceed—*

12 “(A) *10 percent of the funds apportioned to*
13 *the State for each of fiscal years 2005 through*
14 *2009 under each of sections 104(b)(1), 104(b)(3),*
15 *104(b)(4), and 144; and*

16 “(B) *10 percent of the funds allocated to the*
17 *State for each of such fiscal years under section*
18 *105.*

19 “(2) *TRANSIT ACCOUNT.*—*Subject to subsection*
20 *(j), the Secretary may permit a State entering into*
21 *a cooperative agreement under this section to establish*
22 *a State infrastructure bank, and any other recipient*
23 *of Federal assistance under section 5307, 5309, or*
24 *5311 of title 49, to deposit into the transit account of*
25 *the bank not to exceed 10 percent of the funds made*

1 *available to the State or other recipient in each of fis-*
2 *cal years 2005 through 2009 for capital projects*
3 *under each of such sections.*

4 “(3) *RAIL ACCOUNT.*—*Subject to subsection (j),*
5 *the Secretary may permit a State entering into a co-*
6 *operative agreement under this section to establish a*
7 *State infrastructure bank, and any other recipient of*
8 *Federal assistance under subtitle V of title 49, to de-*
9 *posit into the rail account of the bank funds made*
10 *available to the State or other recipient in each of fis-*
11 *cal years 2005 through 2009 for capital projects*
12 *under such subtitle.*

13 “(4) *CAPITAL GRANTS.*—

14 “(A) *HIGHWAY ACCOUNT.*—*Federal funds*
15 *deposited into a highway account of a State in-*
16 *frastructure bank under paragraph (1) shall con-*
17 *stitute for purposes of this section a capitaliza-*
18 *tion grant for the highway account of the bank.*

19 “(B) *TRANSIT ACCOUNT.*—*Federal funds de-*
20 *posited into a transit account of a State infra-*
21 *structure bank under paragraph (2) shall con-*
22 *stitute for purposes of this section a capitaliza-*
23 *tion grant for the transit account of the bank.*

24 “(C) *RAIL ACCOUNT.*—*Federal funds depos-*
25 *ited into a rail account of a State infrastructure*

1 *bank under paragraph 3 shall constitute for pur-*
2 *poses of this section a capitalization grant for*
3 *the rail account of the bank.*

4 “(5) *SPECIAL RULE FOR URBANIZED AREAS OF*
5 *OVER 200,000.—Funds in a State infrastructure bank*
6 *that are attributed to urbanized areas of a State with*
7 *urbanized populations of over 200,000 under section*
8 *133(d)(3) may be used to provide assistance with re-*
9 *spect to a project only if the metropolitan planning*
10 *organization designated for such area concurs, in*
11 *writing, with the provision of such assistance.*

12 “(6) *DISCONTINUANCE OF FUNDING.—If the Sec-*
13 *retary determines that a State is not implementing*
14 *the State’s infrastructure bank in accordance with a*
15 *cooperative agreement entered into under subsection*
16 *(b), the Secretary may prohibit the State from con-*
17 *tributing additional Federal funds to the bank.*

18 “(e) *FORMS OF ASSISTANCE FROM INFRASTRUCTURE*
19 *BANKS.—An infrastructure bank established under this sec-*
20 *tion may make loans or provide other forms of credit assist-*
21 *ance to a public or private entity in an amount equal to*
22 *all or a part of the cost of carrying out a project eligible*
23 *for assistance under this section. The amount of any loan*
24 *or other form of credit assistance provided for the project*
25 *may be subordinated to any other debt financing for the*

1 *project. Initial assistance provided with respect to a project*
2 *from Federal funds deposited into an infrastructure bank*
3 *under this section may not be made in the form of a grant.*

4 “(f) *ELIGIBLE PROJECTS.*—Subject to subsection (e),
5 *funds in an infrastructure bank established under this sec-*
6 *tion may be used only to provide assistance for projects eli-*
7 *gible for assistance under this title and capital projects de-*
8 *fin ed in section 5302 of title 49, and any other projects*
9 *related to surface transportation that the Secretary deter-*
10 *mines to be appropriate.*

11 “(g) *INFRASTRUCTURE BANK REQUIREMENTS.*—In
12 *order to establish an infrastructure bank under this section,*
13 *the State establishing the bank shall—*

14 “(1) *deposit in cash, at a minimum, into each*
15 *account of the bank from non-Federal sources an*
16 *amount equal to 25 percent of the amount of each*
17 *capitalization grant made to the State and deposited*
18 *into such account; except that, if the deposit is into*
19 *the highway account of the bank and the State has a*
20 *non-Federal share under section 120(b) that is less*
21 *than 25 percent, the percentage to be deposited from*
22 *non-Federal sources shall be the lower percentage of*
23 *such grant;*

24 “(2) *ensure that the bank maintains on a con-*
25 *tinuing basis an investment grade rating on its debt,*

1 *or has a sufficient level of bond or debt financing in-*
2 *strument insurance, to maintain the viability of the*
3 *bank;*

4 *“(3) ensure that investment income derived from*
5 *funds deposited to an account of the bank are—*

6 *“(A) credited to the account;*

7 *“(B) available for use in providing loans*
8 *and other forms of credit assistance to projects*
9 *eligible for assistance from the account; and*

10 *“(C) invested in United States Treasury se-*
11 *curities, bank deposits, or such other financing*
12 *instruments as the Secretary may approve to*
13 *earn interest to enhance the leveraging of projects*
14 *assisted by the bank;*

15 *“(4) ensure that any loan from the bank will*
16 *bear interest at or below market interest rates, as de-*
17 *termined by the State, to make the project that is the*
18 *subject of the loan feasible;*

19 *“(5) ensure that repayment of any loan from the*
20 *bank will commence not later than 5 years after the*
21 *project has been completed or, in the case of a high-*
22 *way project, the facility has opened to traffic, which-*
23 *ever is later;*

1 “(6) ensure that the term for repaying any loan
2 will not exceed 30 years after the date of the first
3 payment on the loan; and

4 “(7) require the bank to make an annual report
5 to the Secretary on its status no later than September
6 30 of each year and such other reports as the Sec-
7 retary may require under guidelines issued to carry
8 out this section.

9 “(i) *UNITED STATES NOT OBLIGATED.*—The deposit of
10 Federal funds into an infrastructure bank established under
11 this section shall not be construed as a commitment, guar-
12 antee, or obligation on the part of the United States to any
13 third party, nor shall any third party have any right
14 against the United States for payment solely by virtue of
15 the contribution. Any security or debt-financing instrument
16 issued by the infrastructure bank shall expressly state that
17 the security or instrument does not constitute a commit-
18 ment, guarantee, or obligation of the United States.

19 “(j) *MANAGEMENT OF FEDERAL FUNDS.*—Sections
20 3335 and 6503 of title 31, shall not apply to funds deposited
21 into an infrastructure bank under this section.

22 “(k) *PROGRAM ADMINISTRATION.*—For each of fiscal
23 years 2005 through 2009, a State may expend not to exceed
24 2 percent of the Federal funds contributed to an infrastruc-

1 *ture bank established by the State under this section to pay*
2 *the reasonable costs of administering the bank.”.*

3 *(b) PREPARATORY AMENDMENTS.—*

4 *(1) SECTION 181.—Section 181 of such title is*
5 *further amended—*

6 *(A) by striking the section designator and*
7 *heading and inserting the following:*

8 **“§ 181. Generally applicable provisions”;**

9 *(B) by striking “In this subchapter” and*
10 *inserting “(a) DEFINITIONS.—In this chapter”;*

11 *(C) in paragraph (5) by striking “184” and*
12 *inserting “604”;*

13 *(D) in paragraph (11) (as redesignated by*
14 *section 1601(a) of this Act) by striking “183”*
15 *and inserting “603”; and*

16 *(E) by adding at the end the following:*

17 *“(b) TREATMENT OF CHAPTER.—For purposes of this*
18 *title, this chapter shall be treated as being part of chapter*
19 *1.”.*

20 *(2) SECTION 182.—Section 182(b)(2)(A)(viii) of*
21 *such title is further amended by inserting “and chap-*
22 *ter 1” after “this chapter”.*

23 *(3) SECTION 183.—Section 183(a) of such title is*
24 *further amended—*

1 (A) in paragraph (1) by striking “182” and
2 inserting “602”; and

3 (B) in paragraph (3) by striking
4 “182(b)(2)(B)” and inserting “602(b)(2)(B)”.

5 (4) SECTION 184.—Section 184 of such title is
6 further amended—

7 (A) in subsection (a)(1) by striking “182”
8 and inserting “602”;

9 (B) in subsection (a)(3) by striking
10 “182(b)(2)(B)” and inserting “602(b)(2)(B)”;
11 and

12 (C) in subsection (b)(10) by striking “183”
13 and inserting “603”.

14 (5) REFERENCES IN SUBCHAPTER.—Subchapter
15 II of chapter 1 of such title is amended by striking
16 “this subchapter” each place it appears and inserting
17 “this chapter”.

18 (6) SUBCHAPTER HEADINGS.—Chapter 1 of such
19 title is further amended—

20 (A) by striking “**SUBCHAPTER I—GEN-**
21 **ERAL PROVISIONS**” preceding section 101; and

22 (B) by striking “**SUBCHAPTER II—IN-**
23 **FRASTRUCTURE FINANCE**” preceding section
24 181.

1 (c) *CHAPTER 6.*—*Such title is further amended by*
 2 *adding at the end the following:*

“CHAPTER 6—INFRASTRUCTURE FINANCE

“Sec.

“601. *Generally applicable provisions.*

“602. *Determination of eligibility and project selection.*

“603. *Secured loans.*

“604. *Lines of credit.*

“605. *Program administration.*

“606. *State and local permits.*

“607. *Regulations.*

“608. *Funding.*

“609. *State infrastructure bank program.*”.

3 (d) *MOVING AND REDESIGNATING.*—*Such title is fur-*
 4 *ther amended—*

5 (1) *by redesignating sections 181 through 189 as*
 6 *sections 601 through 609, respectively;*

7 (2) *by moving such sections from chapter 1 to*
 8 *chapter 6 (as added by subsection (c)); and*

9 (3) *by inserting such sections after the analysis*
 10 *for chapter 6.*

11 (e) *ANALYSIS FOR CHAPTER 1 AND TABLE OF CHAP-*
 12 *TERS.*—

13 (1) *ANALYSIS FOR CHAPTER 1.*—*The analysis for*
 14 *chapter 1 of such title is amended—*

15 (A) *by striking the headings for subchapters*
 16 *I and II; and*

17 (B) *by striking the items relating to sections*
 18 *181 through 189.*

1 (2) *TABLE OF CHAPTERS.*—*The table of chapters*
 2 *for such title is amended by inserting after the item*
 3 *relating to chapter 5 the following:*

 “6. *Infrastructure Finance* 601”.

4 **SEC. 1603. INTERSTATE SYSTEM RECONSTRUCTION AND RE-**
 5 **HABILITATION TOLL PILOT PROGRAM.**

6 (a) *ESTABLISHMENT.*—*The Secretary shall establish*
 7 *and implement an Interstate System reconstruction and re-*
 8 *habilitation toll pilot program under which the Secretary,*
 9 *notwithstanding sections 129 and 301 of title 23, United*
 10 *States Code, may permit a State to collect tolls on a high-*
 11 *way, bridge, or tunnel on the Interstate System for the pur-*
 12 *pose of reconstructing and rehabilitating the facility.*

13 (b) *LIMITATION ON NUMBER OF FACILITIES.*—*The*
 14 *Secretary may permit the collection of tolls under this sec-*
 15 *tion on 3 facilities on the Interstate System. Each of such*
 16 *facilities shall be located in a different State.*

17 (c) *ELIGIBILITY.*—*To be eligible to participate in the*
 18 *pilot program, a State shall submit to the Secretary an ap-*
 19 *plication that contains, at a minimum, the following:*

20 (1) *An identification of the facility on the Inter-*
 21 *state System proposed to be a toll facility, including*
 22 *the age, condition, and intensity of use of the facility.*

23 (2) *In the case of a facility that affects a metro-*
 24 *politan area, an assurance that the metropolitan*
 25 *planning organization designated under chapter 52 of*

1 *title 49, United States Code, for the area has been*
2 *consulted concerning the placement and amount of*
3 *tolls on the facility.*

4 *(3) An analysis demonstrating that financing*
5 *the reconstruction or rehabilitation of the facility*
6 *with the collection of tolls under the pilot program is*
7 *the most efficient and economical way to advance the*
8 *project.*

9 *(4) A facility management plan that includes—*

10 *(A) a plan for implementing the imposition*
11 *of tolls on the facility;*

12 *(B) a schedule and finance plan for the re-*
13 *construction or rehabilitation of the facility*
14 *using toll revenues;*

15 *(C) a description of the public transpor-*
16 *tation agency that will be responsible for imple-*
17 *mentation and administration of the pilot pro-*
18 *gram;*

19 *(D) a description of whether consideration*
20 *will be given to privatizing the maintenance and*
21 *operational aspects of the facility, while retain-*
22 *ing legal and administrative control of the por-*
23 *tion of the Interstate route; and*

24 *(E) such other information as the Secretary*
25 *may require.*

1 (d) *SELECTION CRITERIA.*—*The Secretary may ap-*
2 *prove the application of a State under subsection (c) only*
3 *if the Secretary determines that—*

4 (1) *the State’s analysis under subsection (c)(3) is*
5 *reasonable;*

6 (2) *the facility has a sufficient intensity of use,*
7 *age, or condition to warrant the collection of tolls;*

8 (3) *the State plan for implementing tolls on the*
9 *facility takes into account the interests of local, re-*
10 *gional, and interstate travelers;*

11 (4) *the State plan for reconstruction or rehabili-*
12 *tation of the facility using toll revenues is reasonable;*

13 (5) *the State will develop, manage, and main-*
14 *tain a system that will automatically collect the tolls;*

15 (6) *in developing the State plan for imple-*
16 *menting tolls on the facility, the State includes a pro-*
17 *gram to permit low income drivers to pay a reduced*
18 *toll amount; and*

19 (7) *the State has given preference to the use of*
20 *a public toll agency with demonstrated capability to*
21 *build, operate, and maintain a toll expressway system*
22 *meeting criteria for the Interstate System.*

23 (e) *PROHIBITION ON NONCOMPETE AGREEMENTS.*—
24 *Before the Secretary may permit a State to participate in*
25 *the pilot program, the State must enter into an agreement*

1 *with the Secretary that provides that the State will not*
2 *enter into an agreement with a private person under which*
3 *the State is prevented from improving or expanding the ca-*
4 *capacity of public roads adjacent to the toll facility to address*
5 *conditions resulting from traffic diverted to such roads from*
6 *the toll facility, including—*

- 7 (1) *excessive congestion;*
8 (2) *pavement wear; and*
9 (3) *an increased incidence of traffic accidents,*
10 *injuries, or fatalities.*

11 (f) *LIMITATIONS ON USE OF REVENUES; AUDITS.—Be-*
12 *fore the Secretary may permit a State to participate in*
13 *the pilot program, the State must enter into an agreement*
14 *with the Secretary that provides that—*

15 (1) *all toll revenues received from operation of*
16 *the toll facility will be used only for—*

- 17 (A) *debt service;*
18 (B) *reasonable return on investment of any*
19 *private person financing the project; and*
20 (C) *any costs necessary for the improvement*
21 *of and the proper operation and maintenance of*
22 *the toll facility, including reconstruction, resur-*
23 *facing, restoration, and rehabilitation of the toll*
24 *facility; and*

1 (2) *regular audits will be conducted to ensure*
2 *compliance with paragraph (1) and the results of*
3 *such audits will be transmitted to the Secretary.*

4 (g) *LIMITATION ON USE OF INTERSTATE MAINTENANCE FUNDS.—During the term of the pilot program,*
5 *funds apportioned for Interstate maintenance under section*
6 *104(b)(4) of title 23, United States Code, may not be used*
7 *on a facility for which tolls are being collected under the*
8 *program.*

10 (h) *PROGRAM TERM.—The Secretary may approve an*
11 *application of a State for permission to collect a toll under*
12 *this section only if the application is received by the Sec-*
13 *retary before the last day of the 10-year period beginning*
14 *on the date of enactment of this Act.*

15 (i) *INTERSTATE SYSTEM DEFINED.—In this section,*
16 *the term “Interstate System” has the meaning such term*
17 *has under section 101 of title 23, United States Code.*

18 (j) *REPORT.—Not later than September 30, 2011, the*
19 *Secretary shall transmit to the Committee on Transpor-*
20 *tation and Infrastructure of the House of Representatives*
21 *and the Committee on Environment and Public Works of*
22 *the Senate a report on traffic congestion on, pavement wear*
23 *of, and incidence of accidents, injuries, and fatalities on*
24 *public roads adjacent to toll facilities established under this*
25 *section and section 1604.*

1 (k) *REPEAL.*—Section 1216(b) of the Transportation
2 *Equity Act for the 21st Century* (23 U.S.C. 129 note; 112
3 *Stat. 212*) is repealed.

4 **SEC. 1604. INTERSTATE SYSTEM CONSTRUCTION TOLL**
5 **PILOT PROGRAM.**

6 (a) *ESTABLISHMENT.*—The Secretary shall establish
7 and implement an Interstate System construction toll pilot
8 program under which the Secretary, notwithstanding sec-
9 tions 129 and 301 of title 23, United States Code, may per-
10 mit a State or an interstate compact of States to collect
11 tolls on a highway, bridge, or tunnel on the Interstate Sys-
12 tem for the purpose of constructing Interstate highways.

13 (b) *LIMITATION ON NUMBER OF FACILITIES.*—The
14 Secretary may permit the collection of tolls under this sec-
15 tion on 3 facilities on the Interstate System.

16 (c) *ELIGIBILITY.*—To be eligible to participate in the
17 pilot program, a State shall submit to the Secretary an ap-
18 plication that contains, at a minimum, the following:

19 (1) An identification of the facility on the Inter-
20 state System proposed to be a toll facility.

21 (2) In the case of a facility that affects a metro-
22 politan area, an assurance that the metropolitan
23 planning organization designated under chapter 52 of
24 title 49, United States Code, for the area has been

1 *consulted concerning the placement and amount of*
2 *tolls on the facility.*

3 (3) *An analysis demonstrating that financing*
4 *the construction of the facility with the collection of*
5 *tolls under the pilot program is the most efficient and*
6 *economical way to advance the project.*

7 (4) *A facility management plan that includes—*

8 (A) *a plan for implementing the imposition*
9 *of tolls on the facility;*

10 (B) *a schedule and finance plan for the con-*
11 *struction of the facility using toll revenues;*

12 (C) *a description of the public transpor-*
13 *tation agency that will be responsible for imple-*
14 *mentation and administration of the pilot pro-*
15 *gram;*

16 (D) *a description of whether consideration*
17 *will be given to privatizing the maintenance and*
18 *operational aspects of the facility, while retain-*
19 *ing legal and administrative control of the por-*
20 *tion of the Interstate route; and*

21 (E) *such other information as the Secretary*
22 *may require.*

23 (d) *SELECTION CRITERIA.—The Secretary may ap-*
24 *prove the application of a State under subsection (c) only*
25 *if the Secretary determines that—*

1 (1) *the State's analysis under subsection (c)(3) is*
2 *reasonable;*

3 (2) *the State plan for implementing tolls on the*
4 *facility takes into account the interests of local, re-*
5 *gional, and interstate travelers;*

6 (3) *the State plan for construction of the facility*
7 *using toll revenues is reasonable;*

8 (4) *the State will develop, manage, and main-*
9 *tain a system that will automatically collect the tolls;*

10 (5) *in developing the State plan for imple-*
11 *menting tolls on the facility, the State includes a pro-*
12 *gram to permit low-income drivers to pay a reduced*
13 *toll amount; and*

14 (6) *the State has given preference to the use of*
15 *a public toll agency with demonstrated capability to*
16 *build, operate, and maintain a toll expressway system*
17 *meeting criteria for the Interstate System.*

18 (e) *PROHIBITION ON NONCOMPETE AGREEMENTS.—*
19 *Before the Secretary may permit a State to participate in*
20 *the pilot program, the State must enter into an agreement*
21 *with the Secretary that provides that the State will not*
22 *enter into an agreement with a private person under which*
23 *the State is prevented from improving or expanding the ca-*
24 *capacity of public roads adjacent to the toll facility to address*

1 *conditions resulting from traffic diverted to such roads from*
2 *the toll facility, including—*

3 *(1) excessive congestion;*

4 *(2) pavement wear; and*

5 *(3) an increased incidence of traffic accidents,*
6 *injuries, or fatalities.*

7 *(f) LIMITATIONS ON USE OF REVENUES; AUDITS.—Be-*
8 *fore the Secretary may permit a State to participate in*
9 *the pilot program, the State must enter into an agreement*
10 *with the Secretary that provides that—*

11 *(1) all toll revenues received from operation of*
12 *the toll facility will be used only for—*

13 *(A) debt service;*

14 *(B) reasonable return on investment of any*
15 *private person financing the project; and*

16 *(C) any costs necessary for the improvement*
17 *of and the proper operation and maintenance of*
18 *the toll facility, including reconstruction, resur-*
19 *facing, restoration, and rehabilitation of the toll*
20 *facility; and*

21 *(2) regular audits will be conducted to ensure*
22 *compliance with paragraph (1) and the results of*
23 *such audits will be transmitted to the Secretary.*

24 *(g) LIMITATION ON USE OF INTERSTATE MAINTENANCE FUNDS.—During the term of the pilot program,*
25

1 *funds apportioned for Interstate maintenance under section*
2 *104(b)(4) of title 23, United States Code, may not be used*
3 *on a facility for which tolls are being collected under the*
4 *program.*

5 *(h) PROGRAM TERM.—The Secretary may approve an*
6 *application of a State for permission to collect a toll under*
7 *this section only if the application is received by the Sec-*
8 *retary before the last day of the 10-year period beginning*
9 *on the date of enactment of this Act.*

10 *(i) INTERSTATE SYSTEM DEFINED.—In this section,*
11 *the term “Interstate System” has the meaning such term*
12 *has under section 101 of title 23, United States Code.*

13 **SEC. 1605. SPECIAL RULES RELATING TO STATE INFRA-**
14 **STRUCTURE BANK PROGRAM.**

15 *(a) INTERSTATE COMPACTS.—Section 189 of title 23,*
16 *United States Code, as amended by section 1602(a) of this*
17 *Act, is amended by inserting after subsection (b) the fol-*
18 *lowing:*

19 *“(c) INTERSTATE COMPACTS.—*

20 *“(1) IN GENERAL.—Congress grants consent to 2*
21 *or more of the States, entering into a cooperative*
22 *agreement under subsection (a) with the Secretary for*
23 *the establishment by such States of a multi-State in-*
24 *frastructure bank in accordance with this section, to*

1 *enter into an interstate compact establishing such*
2 *bank in accordance with this section.*

3 “(2) *RESERVATION OF RIGHTS.—The right to*
4 *alter, amend or repeal interstate compacts entered*
5 *into under this subsection is expressly reserved.”.*

6 (b) *APPLICABILITY OF FEDERAL LAW.—Section 189 of*
7 *title 23, United States Code, as amended by section 1602(a)*
8 *of this Act, is further amended by inserting after subsection*
9 *(g) the following:*

10 “(h) *APPLICABILITY OF FEDERAL LAW.—*

11 “(1) *IN GENERAL.—The requirements of this title*
12 *and title 49 that would otherwise apply to funds*
13 *made available under this title or such title and*
14 *projects assisted with those funds shall apply to—*

15 “(A) *funds made available under this title*
16 *or such title and contributed to an infrastructure*
17 *bank established under this section, including the*
18 *non-Federal contribution required under sub-*
19 *section (g); and*

20 “(B) *projects assisted by the bank through*
21 *the use of the funds;*

22 *except to the extent that the Secretary determines that*
23 *any requirement of such title (other than sections 113*
24 *and 114 of this title and section 5333 of title 49), is*
25 *not consistent with the objectives of this section.*

1 “(2) *REPAYMENTS.*—*The requirements of this*
2 *title and title 49 shall apply to repayments from non-*
3 *Federal sources to an infrastructure bank from*
4 *projects assisted by the bank. Such a repayment shall*
5 *be considered to be Federal funds.”.*

6 ***Subtitle G—High Priority Projects***

7 ***SEC. 1701. HIGH PRIORITY PROJECTS PROGRAM.***

8 *(a) AUTHORIZATION OF HIGH PRIORITY PROJECTS.—*
9 *Section 117(a) of title 23, United States Code, is amended*
10 *by striking “1602 of the Transportation Equity Act for the*
11 *21st Century” and inserting “1701 of the Transportation*
12 *Equity Act: A Legacy for Users”.*

13 *(b) ALLOCATION PERCENTAGES.—Section 117(b) of*
14 *such title is amended by striking paragraphs (1) through*
15 *(6) and inserting the following:*

16 *“(1) 22.4 percent of such amount shall be avail-*
17 *able for obligation beginning in fiscal year 2005;*

18 *“(2) 20.2 percent of such amount shall be avail-*
19 *able for obligation beginning in fiscal year 2006;*

20 *“(3) 19.3 percent of such amount shall be avail-*
21 *able for obligation beginning in fiscal year 2007;*

22 *“(4) 19.7 percent of such amount shall be avail-*
23 *able for obligation beginning in fiscal year 2008; and*

24 *“(5) 18.4 percent of such amount shall be avail-*
25 *able for obligation beginning in fiscal year 2009.”.*

1 (c) *FEDERAL SHARE*.—Section 117(c) of such title is
2 amended by striking “; except” and all that follows through
3 “cost thereof”.

4 (d) *ADVANCE CONSTRUCTION*.—Section 117(e) of such
5 title is amended by striking “1602 of the Transportation
6 Equity Act for the 21st Century” each place it appears and
7 inserting “1701 of the Transportation Equity Act: A Leg-
8 acy for Users”.

9 (e) *AVAILABILITY OF OBLIGATION LIMITATION*.—Sec-
10 tion 117(g) of such title is amended by striking “Transpor-
11 tation Equity Act for the 21st Century” and inserting
12 “Transportation Equity Act: A Legacy for Users”.

13 (f) *FEDERAL-STATE RELATIONSHIP*.—Section 145(b)
14 of such title is amended—

15 (1) by inserting after “described in” the fol-
16 lowing: “section 1702 of the Transportation Equity
17 Act: A Legacy for Users,”;

18 (2) by inserting after “for such projects by” the
19 following: “section 1101(a)(17) of the Transportation
20 Equity Act: A Legacy for Users,”; and

21 (3) by striking “117 of title 23, United States
22 Code,” and inserting “section 117 of this title,”.

23 **SEC. 1702. PROJECT AUTHORIZATIONS.**

24 Subject to section 117 of title 23, United States Code,
25 the amount listed for each high priority project in the fol-

- 1 *lowing table shall be available (from amounts made avail-*
 2 *able by section 1101(a)(17) of the Transportation Equity*
 3 *Act: A Legacy for Users) for fiscal years 2005 through 2009*
 4 *to carry out each such project:*

HIGH PRIORITY PROJECTS

No.	State	Project Description	Amount
1	CA	Construct safe access to streets for bicyclists and pedestrians including crosswalks, sidewalks and traffic calming measures, Covina	\$500,000
2	CA	Develop and implement ITS master plan in Anaheim	\$1,500,000
3	TN	Improve circuitry on vehicle protection device installed at highway-RR crossing in Athens, TN	\$59,000
4	CA	Builds a pedestrian bridge from Hiller Street to the Bay Trail, Belmont	\$2,450,000
5	OH	Renovate and expand National Packard Museum and adjacent historic Packard facilities	\$3,000,000
6	IL	Land acquisition for the widening of Rt. 47 in Yorkville, IL	\$1,000,000
7	NE	Interstate 80 Interchange at Pflug Road, Sarpy County, Nebraska	\$1,400,000
8	TX	Construction of Segment #1 of Morrison Road for the City of Brownsville	\$2,000,000
9	MI	I-96 at Latson Road Interchange Improvements	\$6,000,000
10	IL	Preconstruction and Construction of IL 83 at IL 132	\$1,000,000
11	TN	Add third lane on US-27 (State Route 29) for truck-climbing lane and realignment of roadway at Wolf Creek Road to Old US-27 north of Robbins	\$6,000,000
12	MI	Reconfiguration of US-31 from the Manistee Basquel Bridge to Lincoln Street in the city of Manistee	\$750,000
13	AR	Bentonville, Arkansas—widen and improve I-540 and SH-102 Interchange	\$1,420,000
14	WA	41st St. Interstate 5 Interchange Project in Everett	\$2,600,000
15	CA	Reconstruct and deep-lift asphalt on various roads throughout the district in Santa Barbara County	\$4,644,000
16	OK	Improving the I-35 Interchange at Milepost 1 Near Thackerville	\$2,000,000
17	NJ	Laurel Avenue Bridge replacement in Holmdel Township	\$1,000,000
18	OH	Construct overpass over CSX Railroad on Columbia Road (State Route 252), Olmsted Falls	\$460,000
19	TN	Reconstruct and widen US-72 from south of State Route 175 to State Route 57, Shelby County	\$1,000,000
20	NY	Construct roundabout at Oregon Road-Westbrook Dr-Red Mill Road in Town of Cortlandt	\$475,000
21	IL	Construct Bike, Pedestrian Paths, Orland Hills	\$400,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
22	PA	Construct I-79/Rte 3025 missing ramps at Jackson Township, PA	\$1,150,000
23	PR	Construction of PR 833 to PR 831. PR 831 to PR 5. Bridge #667 PR 830, KM 2.40 PR 5 connector from PR 167 to intersation with PR 5 and Las Cumbres Ave	\$6,000,000
24	TX	Extension of SH349 to US 87 Relief Route in Dawson County	\$2,500,000
25	IL	Parking facility in Peoria, IL	\$1,000,000
26	IL	Construct Interchange on Interstate 255 at Dupo/ Columbia	\$19,000,000
27	MN	Construction and right-of-way acquisition for interchange at TH65 and TH242 in Blaine, MN	\$4,000,000
28	CA	Huntington Beach, Remove off-ramp on I-405 at Beach Blvd. Construct fourth lane on I-405 North, at the Beach Blvd. interchange	\$500,000
29	TN	Addition of an interchange on I-40 in Roane County at Buttermilk Road and I-40	\$3,000,000
30	NY	Purchase Three Ferries and Establish System for Ferry Service from Rockaway Peninsula to Manhattan	\$15,000,000
31	IL	Reconstruction of Mockingbird Lane and Stratford St, Granite City	\$1,500,000
32	FL	Construction a new multi-lane tunnel below the channel to link the Port of Miami on Dodge Island with I-395 on Watson Island and I-95 in Downtown Miami	\$500,000
33	MD	Rehabilitation of West Baltimore Trail and Implementation of Pedestrian Improvements Along Associated Roadways	\$900,000
34	TN	Removal and Reconfiguration of Interstate Ramps—I-240, Memphis	\$3,000,000
35	CA	Replace structurally unsafe Winters Bridge for vehicles, bicycles and pedestrians between Yolo and Solano Counties	\$2,000,000
36	IL	City of Havana, Illinois Upgrades to Broadway Street	\$952,572
37	MN	Construction of Gitchi-Gami State Trail from Cascade River to Grand Marais	\$900,000
38	LA	Develop master transportation plan for the New Orleans Regional Medical Center	\$500,000
39	VA	Final Design and Construction for improvements at I-64 and City Line Road, Virginia Beach and Chesapeake	\$1,000,000
40	MA	Replacement of Cross Street Bridge spanning flood prone Aberjona River, Winchester	\$1,000,000
41	NC	Construction of and improvement to I-73, I-74, US 220 in Montgomery and Randolph Counties, NC	\$11,000,000
42	IA	Access and enhancements to access Lake Belva Deer, Sigourney	\$1,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
43	CA	Roadway surface improvements, street lighting, and storm drain improvements to South Center Street from Baughman Road to State Route 78/86, Westmorland	\$800,000
44	TX	Construct two connectors between SH 288 and Beltway 8	\$5,000,000
45	NY	Implement Central NY highway grade crossing and grade separation project	\$2,000,000
46	CA	Douglas St. Improvements, El Segundo	\$4,000,000
47	MA	Reconstruction of Massachusetts Avenue including safety improvements and related pedestrian, bike way in Arlington	\$2,000,000
48	NY	Reconstruction of Rt 5,8,12 (North South Arterial) Burrstone Rd. to Oriskany Circle, City of Utica	\$1,000,000
49	OK	Construction of Norman highway-rail Grade Separation	\$1,000,000
50	PA	Construction of the Montour Trail, Great Allegheny Passage	\$1,000,000
51	CA	Route 1 San Pedro Creek Bridge replacement in Pacifica	\$3,000,000
52	MI	South Lyon, 2nd St. between Warren and Haggadorn	\$125,000
53	PA	Street improvements, Abington Township	\$2,000,000
54	IA	Study of a direct link to I 80, Pella	\$500,000
55	TN	Sweetwater, TN Improving Vehicle Efficiencies at At-Grade highway-railroad Crossings	\$96,000
56	OR	Construct bike/pedestrian path, Powers	\$440,000
57	IL	IL 6 to I-180—Phase 2 study and land acquisition	\$2,000,000
58	FL	Construct a new bridge at Indian Street, Martin County	\$1,000,000
59	GA	Improve sidewalks, upgrade lighting, and add landscaping in downtown Glennville	\$500,000
60	LA	Continue planning and construction of the New Orleans Regional Planning Commission Mississippi River trail in St. John, Plaquemines St. Bernard and St. Charles parishes	\$1,900,000
61	MO	Road widening and curb and gutter improvements on Hwy 33 in Kearney	\$3,000,000
62	TX	The SH146, Port Rd direct connectors allows traffic bypass several rail lines & traffic signals at, near intersection of SH146 and Port Rd	\$13,200,000
63	UT	Reconstruct South Moore Cut-off Road in Emery County	\$4,500,000
64	PA	Improvements to exits along Interstate 81 in Franklin County, PA -- Antrim Road	\$8,200,000
65	OH	Plan and construct the Southeast Arterial Connector highway at Delaware, Ohio	\$5,000,000
66	TN	To construct transportation enhancements on a multi-faceted greenway in downtown Columbia on the Duck River	\$8,000,000
67	RI	New Interchange constructed from I-195 to Taunton and Warren Avenue in East Providence	\$5,800,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
68	NY	Town of Chester reconstruction of Walton Lake Estates subdivision and related roads	\$80,000
69	NC	Extend M.L. King Jr. Boulevard in Monroe	\$2,000,000
70	NY	Town of Fishkill Old Glenham Road (aka Washington Ave) reconstruction	\$325,500
71	PA	U.S. Route 13 Corridor Reconstruction, Redevelopment and Beautification, Bucks County	\$2,000,000
72	NY	Rochester & Southern Highway-Rail Grade Crossing Bypass, Silver Springs, New York	\$1,500,000
73	IL	Upgrade streets in the City of Rushville, IL	\$1,000,000
74	MO	Construct 2 lanes on Chouteau Trafficway from MO 210 to I-35	\$2,000,000
75	AZ	US 60 to Gonzalez Pass	\$2,000,000
76	LA	Interstate lighting system (I 10 and LA 93)	\$300,000
77	GU	Reconstruct Hagåtña River Bridges, Municipality of Hagåtña	\$6,600,000
78	WA	SR 704 Cross-Base Highway, Spanaway Loop Road to SR 7	\$1,500,000
79	NY	Village of Brewster Main Street and Route 6 related construction and improvements	\$975,000
80	PA	Design and construct relocation of US 11 between Ridge Hill and Hempt Roads	\$5,680,000
81	VA	Improve Route 42 (Main Street) in Bridgewater, Virginia	\$500,000
82	NY	Construction of Route 59 Palisades Interstate Parkway to Route 303	\$1,000,000
83	IL	Improve University Drive, Macomb	\$500,000
84	CA	Adams Street Rehabilitation Project, Glendale	\$388,000
85	NY	Construct grade separation-interchange between Taconic Parkway and Pudding Street	\$1,450,000
86	IA	Construction of 100th St interchange on I 35-80, Urbandale	\$1,000,000
87	MO	Lewis and Clark Expressway	\$2,000,000
88	PA	Mercer County, PA I-79 and PA 208 Interchange Improvement Project	\$2,000,000
89	WA	Plan to relieve traffic until North-South freeway -HWY 2	\$550,000
90	CA	San Diego River Multiuse Bicycle and Pedestrian Path	\$500,000
91	PA	Construction of the Lafayette Street extension project in Montgomery County, PA	\$10,400,000
92	NJ	Construct new ramps between I-295 and Route 42	\$5,000,000
93	PA	Construct S.R. 29 Wal-mart to River Betterment, Eaton Tunkhannock, Wyoming County	\$1,700,000
94	WV	Construct Shawnee Parkway	\$1,100,000
95	FL	Improve pedestrian and bicycle sidewalks, lighting, and ADA ramps---Main Street, Canal Street, Miramar	\$600,000
96	MN	Reconstruct CSAH 19 from CSAH 36 to CSAH 2, Morrison County	\$200,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
97	TN	Develop trails, bike paths and recreational facilities on Bird Mountain, Morgan County for Cumberland Trail State Park	\$250,000
98	MN	Lyndale Avenue Bridge, Richfield	\$13,000,000
99	MI	Provide a bypass around the Village of Almont during M-53 reconstruction which is contiguous with Macomb County	\$100,000
100	NY	Town of Wallkill new construction road-tunnel under Rt. 17	\$1,000,000
101	NY	Village of Cold Spring Main Street and ancillary road and sidewalk improvements	\$820,000
102	IL	West Ridge Nature Preserve, Chicago	\$3,000,000
103	TN	widen Campbell Station Road in Knoxville, TN	\$1,800,000
104	AL	Widen Hwy. 84 to 4 lanes west of I-65 from Evergreen to Monroeville and beyond to the State of AL line	\$4,000,000
105	MS	Widen State Highway 57 from I-10 through Vancleave	\$5,000,000
106	WA	Widening SR527 from 2 lanes to 5 from Bothell to Mill Creek	\$1,500,000
107	OH	Construct proposed connection SR 207, SR 104, and US 23 in Ross County	\$2,000,000
108	MI	Construct improvements to Finkbeiner Road from Patterson Road to Whitneyville Road in Barry County, and new bridge over Thornapple River ..	\$4,400,000
109	PA	York Road improvements from Horsham Road to Summit Avenue, Borough of Hatboro	\$1,250,000
110	OH	Intersection improvements at Highland and Bishop Roads in the City of Highland Heights, OH	\$612,000
111	WI	Reconstruct Wisconsin State Highway 21 at I-94 interchange	\$3,000,000
112	MN	Safety improvements and intersection enhancements of TH 95 and TH 169, Princeton	\$1,800,000
113	NY	Wading River Bicycle and Pedestrian Project in Riverhead	\$1,200,000
114	FL	Widen County Line Road (CR 578) from Suncoast Parkway to US41 to four lanes	\$6,000,000
115	IL	Improve Great River Road, Warsaw	\$750,000
116	NY	Yonkers, New York, Trolley Bus Acquisition	\$300,000
117	FL	Construct East Central Regional Rail Trail in Volusia County, Florida	\$1,000,000
118	MO	Y Highway US 71 to MO 58, Cass County	\$2,000,000
119	WY	WYO 59 Reconstruction	\$2,000,000
120	LA	Plan and construct bike/pedestrian crossings of Washington-Palmetto Canal in the vicinity of Xavier University, New Orleans	\$4,000,000
121	NC	Winston-Salem Northern Beltway, Eastern Section and Extension, NC	\$5,000,000
122	CA	Willow and Herndon Traffic Flow Improvements, City of Clovis, California	\$300,000
123	MO	US 71 at Y Highway North and Southbound Ramps	\$2,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
124	CA	Will add landscaping enhancements along the Ronald Reagan Freeway Route 118 for aesthetic purposes	\$2,500,000
125	NC	Widens US 29 Business Freeway Drive from South Scales St. to NC 14 in Rockingham County	\$10,000,000
126	PA	Widening, rechannelization, signalization to 2nd ave and Bates street, replace Elisa Furnace bridge over Bates Street	\$800,000
127	KS	Resurfacing, grading, replacing guardrails & adding shoulders to Highway 77 in Geary Cty, to accommodate expected traffic increase	\$784,000
128	MO	Widening, curb and gutter improvements as part of Hwy 33 redevelopment project in Kearney	\$3,000,000
129	IL	Construct streetscape along Morse avenue from Clark street to Sheridan road, Chicago	\$2,000,000
130	SC	Build extension of North Rhett Boulevard from Liberty Hall Road to US 176 in SC	\$7,000,000
131	NH	Construct and upgrade intersection of Route 3 and Franklin Industrial Drive in Franklin	\$1,000,000
132	GA	Construct Waycross East Bypass from US 84 in Pierce County, Georgia to US 1 in Ware County, Georgia	\$2,200,000
133	NY	Design and Construction of a transportation enhancement project at the Erie Canal Aqueduct in downtown Rochester	\$1,500,000
134	CA	Improvement of intersection at Balboa Blvd. and San Fernando Rd	\$500,000
135	TN	Improve Vehicle Efficiencies at highway At-Grade Railroad Crossing in Athens, TN	\$99,000
136	WI	Develop pedestrian and bike connections that link to Hank Aaron State Trail in Milwaukee	\$2,100,000
137	AK	Keystone Drive Road Improvements	\$1,000,000
138	GA	Pedestrian and streetscape improvements, Ellaville	\$400,000
139	NY	Construct and improve pedestrian access on Main Street in Hempstead	\$2,000,000
140	IL	Preconstruction activities IL 336 from Macomb to Peoria	\$2,000,000
141	OH	Purchase of right-of-ways for construction of pedestrian and bicycle improvements in the City of Aurora, OH	\$500,000
142	IL	Replacement of bridge on Harlem Avenue, The Village of River Forest	\$1,000,000
143	CA	State Route 86S and Ave 66 highway safety grade separation	\$4,500,000
144	IL	Construct Bissel Street Roadway Connector, Tri-City Regional Port District	\$850,000
145	CT	Improve Route 1 between East Avenue and Belden Avenue, Norwalk, CT	\$2,000,000
146	IA	Central IA Trail Loop, bicycle and pedestrian, Ankeny to Woodward section	\$1,000,000
147	MI	Chippewa County, Upgrade Tilson Road between M-28 South to intersection of M-48 at Rudyard	\$1,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
148	WA	Coal Creek Parkway Bridge Replacement, Newcastle WA	\$1,000,000
149	PA	Complete gaps in the Pittsburgh Riverfront Trail Network including the Hot Metal Bridge	\$750,000
150	TX	Construct passing lanes on Texas State Highway 16 in Atascosa County	\$797,000
151	TX	Construct street and drainage improvements to road system in Encinal	\$250,000
152	MN	Environmental assessment and right of way acquisition at US52 and CSAH24 Interchange, Cannon Falls, Goodhue Cnty, MN	\$2,000,000
153	NY	Construction for Peace Bridge Redevelopment Project, Buffalo	\$10,000,000
154	MN	Construct recreational visitor center on the Mesabi Trail, City of Virginia	\$1,300,000
155	NE	Engineering, right-of-way and construction of the 23rd Street Viaduct in Fremont, Nebraska	\$400,000
156	MN	Phase III of Devil Track Road Project, Cook County	\$1,200,000
157	ME	Relocation of southbound on-ramp to I-95 at exit 184, Bangor	\$1,500,000
158	MA	Construct access roads to Hospital Hill project in Northampton, MA	\$2,000,000
159	IN	Construct interchange for 146th St. and I-69, Hamilton County, Indiana	\$3,000,000
160	NY	Design & Construct a Bicycle and Pedestrian Walkway along the Decommissioned Putnam Rail Line	\$950,000
161	AK	False Pass Road construction from small boat harbor dock to airport and town	\$3,000,000
162	IL	Improve North Illinois St and related roads, Belleville	\$6,500,000
163	AR	Construction of I-49, Highway 71: Arkansas portion of Bella Vista Bypass	\$9,000,000
164	NM	Coors-I-40 Interchange Reconstruction, Albuquerque	\$7,000,000
165	GA	Extend the south Toccoa Bypass east of Toccoa to CR 311, four lanes for approximately 5.7 miles on new location	\$2,900,000
166	TX	Construct SH 183 from SH 360 to Belt Line Road in Irving, Texas	\$2,000,000
167	CA	Construct pedestrian, bicycle and ADA accessible boardwalks at the Pismo Beach Promenade in San Luis Obispo County	\$300,000
168	TX	SH 44 E of Alice near SH 359 to US 281, Jim Wells County	\$2,000,000
169	TX	Corpus Christi, TX Corpus Regional Transit Authority for maintenance facility improvements ...	\$2,000,000
170	PA	For design, land & ROW acquisition, & construction of a parking facility and associated activities in the City of Wilkes-Barre	\$1,000,000
171	TN	Hawkins County, Tennessee SR-31 reconstruction ..	\$500,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
172	WI	Reconstruct US Highway 41—STH 67 interchange (Dodge County, Wisconsin)	\$650,000
173	MA	Reconstruct Route 24/Route 140 Interchange, replace bridge and ramps, widen and extend acceleration and deceleration lanes	\$14,750,000
174	OR	Study landslides on U.S. Hwy. 20 between Cascadia and Santiam Pass to develop long-term repair strategy	\$1,000,000
175	MS	Upgrade Alex Gates Road and Walnut Road in Quitman County, and roads in Falcon, Sledge and Lambert	\$1,750,000
176	IL	Upgrades for Muller Road in the City of Washington, IL	\$280,000
177	AL	Construction of Valleydale Road Flyover, Widening and Improvements	\$5,000,000
178	MS	Upgrade roads in Beauregard (U. S. Hwy 51), Crystal Springs (U.S. Hwy 51 and I-55), and Hazelhurst (U.S. Hwy 51 and I-55), Copiah County	\$1,000,000
179	NY	Westchester County, NY Rehabilitation of June Road Town of North Salem	\$650,000
180	CA	Implement streetscape improvements on segments of Laurel Canyon Blvd. and Victory Blvd. in North Hollywood	\$1,200,000
181	OH	Construct loop road along US 23 in City of Fostoria, Seneca County	\$7,700,000
182	PA	Design, engineering, ROW acquisition, & construction of street improvements, parking, safety enhancements & roadway redesign in Nanticoke	\$2,000,000
183	LA	Improve Ralph Darden Memorial Parkway Between LA182 and Martin Luther King Road, St. Mary Parish	\$350,000
184	CA	Reconstruct segments of Hollister Avenue between San Antonio Road and State Route 154 in Santa Barbara County	\$2,500,000
185	NY	Reconstruction of Schenck Avenue from Jamaica Avenue to Flatlands Avenue, Brooklyn	\$5,000,000
186	CO	Construct Wadsworth Interchange over US 36 in Broomfield	\$2,000,000
187	NY	Enhance Battery Park Bikeway Perimeter, New York City	\$2,000,000
188	FL	I-95 Interchange in the City of Boca Raton	\$14,250,000
189	NJ	Construct Long Valley Bypass	\$1,000,000
190	MI	Alpena County, Resurface 3.51 miles of Hamilton and Wessel Roads	\$640,000
191	CA	Construct a 2.8 mile bikeway along Lambert Road from Mills Ave. to Valley Home Ave. in the City of Whittier, CA	\$2,500,000
192	TX	Hidalgo County Loop	\$1,000,000
193	ME	Improvements to Route 108 to enhance access to business park, Runford	\$1,500,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
194	NY	Installation of new turning lane from Mohansic Ave onto eastbound Route 202, & addition of new striped crosswalk	\$375,000
195	NY	Rockland County Hudson River Greenway Trail Project construction	\$2,000,000
196	TX	Construct a segment of FM 110 in San Marcos	\$1,000,000
197	TX	Big Spring, TX Construction of the Big Spring Reliever Route	\$2,800,000
198	NY	Improvements to Intermodal Transportation Facility and Construction of Waterfront Esplanade at Fort Totten	\$2,800,000
199	PA	Reconstruction and repair of Haverford Ave. Between 68th St. and Lansdowne Ave	\$300,000
200	ND	Bismarck/Mandan Liberty Memorial Bridge over the Missouri River	\$30,000,000
201	WI	City of Glendale, WI. Develop and rehabilitate exit ramps on I-43, and improvements at West Silver Spring Dr. and North Port Washington Rd	\$3,000,000
202	TX	Construction of Lake Ridge and US67 Project, Cedar Hill, TX	\$3,000,000
203	NY	Install Improvements for Pedestrian Safety in the vicinity of PS 277	\$250,000
204	WI	Resurface USH 8 between CTH C and Monico	\$1,100,000
205	PA	South Phila. Access Rd. Design and construction of port access road from South Phila Port and intermodal facilities, Philadelphia	\$3,000,000
206	NY	Implement ITS system and apparatus to enhance citywide truck route system on Broadway to Irwin Ave between 232 to 231 in the neighborhood of Kingsbridge, NY	\$100,000
207	PA	SR 219 Purchase of Right of Way and completion of four lane extension from the Town of Somerset to the Maryland border	\$15,000,000
208	WI	Expand USH 41 between Oconto and Peshtigo, Wisconsin (Oconto and Marinette Counties, Wisconsin)	\$2,000,000
209	IA	Study for NE Beltway, Polk Co	\$500,000
210	NY	This project involves a full reconstruction of all the streets in Long Island City surrounding 11th Street	\$3,400,000
211	AZ	Upgrade and Widen SR85 to I-10 (Mileposts 120–141)	\$1,500,000
212	MS	Upgrade Dog Pen Road and Galilee Road in Holmes County, and roads in Cruger, Pickens, and Goodman	\$1,000,000
213	GA	U.S. 19/SR92 median work from Ellis RD to West Taylor ST, Griffin	\$1,500,000
214	MS	Upgrade roads at Coahoma Community College, and roads in Coahoma and Jonestown, Coahoma County	\$1,500,000
215	IN	Construction of Dixon Road from Markland Avenue to Judson Road in Kokomo, Indiana	\$500,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
216	CA	Construction of Cross Vally Connector between I-5 and SR 14	\$4,000,000
217	MA	State Street Corridor Redevelopment Project includes street resurfacing, pedestrian walkway improvements and ornate lighting from Main Street to St. Michael's Cemetery, Springfield	\$6,000,000
218	MI	Resurfacing of Stephenson Highway in Madison Heights	\$350,000
219	CA	Soundwall construction on the 210 Freeway, Pasadena	\$1,800,000
220	GA	Streetscape-Ashburn	\$250,000
221	NY	Design, Study and Construct Ferry Terminal Facilities at Floyd Bennett Field	\$1,000,000
222	WI	Improve Superior Avenue: Interstate 43 to State Highway 32, Sheboygan County, Wisconsin	\$1,000,000
223	TX	Design and construction streetscape improvements to enhance pedestrian access, pedestrian access to bus services and facilities	\$1,000,000
224	IL	Upgrade roads, The Village of Berkeley	\$1,000,000
225	GA	Upgrade sidewalks and lighting, Wrightsville	\$400,000
226	PA	Upgrades to Bedford Route 220 at the entrance of the Bedford Business Park to Beldon Ridge intersection	\$2,100,000
227	MI	Widen Baldwin Road from Morgan to Waldon in Orion Township	\$4,000,000
228	FL	Construct Saxon Boulevard Extension, Volusia County, Florida	\$2,100,000
229	NY	Construction and rehabilitation of East and West Gates Avenues in the Village of Lindenhurst, NY	\$930,000
230	TN	Widen Interstate 240 from Interstate 55 to Interstate 40 West of Memphis, Shelby County	\$1,000,000
231	NJ	Rahway River Corridor Greenway Bicycle and Pedestrian Path, South Orange	\$500,000
232	CT	Reconstruct Pearl Harbor Memorial Bridge, New Haven	\$2,000,000
233	PA	Development of Northwest Lancaster County River Trail	\$250,000
234	CA	Widen SR89 at existing mousehole two lane RR underpass	\$3,000,000
235	LA	Construct Mississippi River Trail and Bikepath, New Orleans	\$500,000
236	NY	Utica Marsh-Reestablish Water Street	\$2,650,000
237	AR	Widen to 5 lanes, improvement, and other development to U.S. Highway 79B/Univeristy Ave. in Pine Bluff	\$3,200,000
238	WA	SR 9 & 20th St. SE Intersection Reconstruction in Snohomish County	\$1,000,000
239	OH	Streetscape and related safety improvements to US 20 in Painesville Township, OH	\$350,000
240	PA	Design, construct intersection and other upgrades on PA 24 and 124 in York County, PA	\$1,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
241	WA	Issaquah Historical Society, Issaquah Valley Trolley Project	\$250,000
242	IL	Construct new bridge on Illinois Prairie Path over East Branch River in Milton Township, IL	\$300,000
243	TN	Plan and construct improvements, Livingston public square	\$50,000
244	GA	Construction on US 82 from Dawson to Alabama Line	\$1,000,000
245	IA	Construct I-74 Bridge in Bettendorf, IA	\$1,500,000
246	CA	Operations and management improvements, including ITS technologies, on U.S. Highway 101 in Santa Barbara County	\$1,000,000
247	OH	Plan and construct new interchange on Interstate 71 at Big Walnut Road in Delaware County, Ohio	\$5,000,000
248	PA	Design and construct access to intermodal facility in York County	\$2,000,000
249	WA	Complete preliminary engineering and environmental analysis for SR14 through Camas and Washougal	\$1,000,000
250	UT	Construct Bingham Junction Boulevard in Midvale City	\$5,000,000
251	MD	Construct Centreville, MD spur of Queen Annes County Cross Island Trail, Centreville to US Route 301	\$382,000
252	MN	Polk, Pennington, Marshall County 10-Ton Corridor in Northwestern Minnesota	\$5,600,000
253	CA	Quincy-Oroville Highway Rehabilitation in Plumas County	\$1,000,000
254	CA	Construct Coyote Creek Trail Project from Story Road to Montague Expressway in San Jose	\$2,000,000
255	TX	Construct Depression of Belt Line Road at I-35E Intermodal Transportation Project in Carrollton, TX	\$6,000,000
256	AL	Construct Anniston Eastern Bypass from Golden Springs Road to US Hwy 431	\$12,500,000
257	NY	Construct transportation enhancements on greenway along East River waterfront between East River Park (ERP) and Brooklyn Bridge, and reconstruct South entrance to ERP, in Manhattan	\$1,250,000
258	NE	Construction of I-80-Cherry Avenue Interchange and East Bypass, Kearney, Nebraska	\$8,000,000
259	MN	Design, engineering, ROW acquisition and construction for the French Rapids Bridge, City of Brainerd	\$1,000,000
260	CA	Escondido, CA Construction of Bear Valley Parkway, East Valley Parkway	\$2,000,000
261	AR	Junction Bridge—rehabilitation & conversion from rail to pedestrian use	\$800,000
262	WA	Port of Tacoma Rd.—Construct a second left turn lane for traffic from westbound Pac. Hwy E. to Port of Tacoma Rd. and I-5	\$500,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
263	NY	Realign Union Valley Road in Town of Carmel	\$330,000
264	MO	Roadway improvements to U.S. 67 in St. Francois County	\$2,000,000
265	FL	Homestead, FL Widening of SW 328 from SW 137 Ave to 152 Ave	\$7,000,000
266	CA	Reconstruct I-710 southern terminus off ramps, Long Beach	\$1,000,000
267	GA	SR 4 widen from Milledgeville Road to Government Street, Richmond County	\$4,000,000
268	TN	Develop trails, bike paths and recreational facilities on Western Slope of Black Mountain, Cumberland County for Cumberland Trail State Park	\$250,000
269	NJ	Routes 1 & 9 Secaucus Road to Broad Avenue in Hudson and Bergen Counties	\$1,000,000
270	MA	Massachusetts Avenue Reconstruction, Boston	\$5,000,000
271	NY	Improve Ashburton Ave. from the Saw Mill River Parkway to the waterfront, Yonkers	\$1,500,000
272	MN	Trail extensions to Mesabi Trail, City of Aurora	\$294,745
273	LA	I-10 Ryan Street exit ramp to include relocation and realignment of Lakeshore Drive to include portions of Front Street and or Ann Street, and to include expansion of Contraband Bayou Bridge	\$5,000,000
274	MI	Van Buren, Belleville Road widen to 5 lanes between Tyler and Ecorse	\$1,100,000
275	IA	Widening University Blvd, Clive	\$1,000,000
276	HI	Construct Waimea Bypass	\$1,000,000
277	IL	Widening two blocks of Poplar St from Park Ave to 13th Street, Williamson County	\$480,000
278	CA	Widening the highway and reconstructing off ramps on Hwy 101 between Steele Lane and Windsor, CA to reduce traffic and promote car-pools	\$5,000,000
279	WA	Granite Falls Alternate Freight Route in Granite Falls	\$2,930,000
280	NY	Construction and rehabilitation of North Queens Avenue and Grand Avenue in the Village of Lindenhurst, NY	\$680,000
281	SC	Extension & Expansion of Lower Richland Roads Phase I	\$1,000,000
282	OR	Kuebler Boulevard improvements, Salem	\$1,500,000
283	NC	Upgrade US 1 in Rockingham	\$10,000,000
284	CA	Implement Southwest San Fernando Valley Road and Safety Improvements	\$2,300,000
285	VA	Upgrade DOT crossing #467662S to constant warning time devices	\$201,800
286	TX	Construct new location highway & interchanges on Inner Loop, from Global Reach to Loop 375 including the Global Reach ext., El Paso	\$16,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
287	CA	Rehabilitation, repair, and/or reconstruction of deficient two-lane roads that connect to Interstate 5, SR 180, SR 41 and SR 99 countywide, Fresno County	\$3,500,000
288	OH	Relocate SR 149 from 26th Street to Trough Run in Bellaire	\$650,000
289	WA	Auburn, Washington—M Street SE rehabilitation between 29th Street SE and 37th Street SE	\$500,000
290	KY	Replace Bridge over Stoner Creek, 2 Miles East of US 27 Junction, Bourbon County	\$1,000,000
291	NM	Development of Paseo del Volcan corridor located in Sandoval County from Iris Road to U.S. Highway 550	\$2,000,000
292	OH	Stan Hywet Hall and Gardens to restore, expand, construct, and improve pedestrian paths and bike trail system	\$180,000
293	MS	Construct bicycle path, Petal	\$200,000
294	NJ	Construction of Route 206 Chester Township, NJ ...	\$1,000,000
295	IL	For IDOT to conduct Phase II engineering for reconstruction of 159th St-US 6-IL 7 in Will and Cook Counties	\$1,000,000
296	IL	For Will County to begin Phase II engineering and preconstruction activities for a high level bridge linking Caton Farm Road with Bruce Road	\$2,000,000
297	CA	Study of Thomas Bridge to meet future cargo and passenger traffic needs of the ports of Long Beach and Los Angeles	\$2,000,000
298	TX	US377 Hood Co., TX—From BU377H east of Granbury to the new location of FM 4	\$1,500,000
299	IL	Construct Citywide bicycle path network, city of Evanston	\$250,000
300	CA	Mount Vernon Avenue grade separation and bridge expansion in Colton	\$2,000,000
301	NJ	Widening Routes 1 and 9, Production Way to East Lincoln Avenue, Union County	\$500,000
302	PA	Design, construct and upgrade interchange of US 15 and US 30 in Adams County	\$4,000,000
303	OH	State Route 8 Improvements in Northern Summit County	\$3,000,000
304	CO	US 50 East, State Line to Pueblo	\$7,500,000
305	IN	Widening road (along Gordon Road, Sixth Street, and West Shafer Drive) to 3-lane street, with sidewalk and improvements to existing bridge -White County/Monticello, Indiana	\$10,000,000
306	OH	Widening Pleasant Valley Bagley Road (Rte 27), Parma and Middleburg Heights	\$1,000,000
307	MA	Rehabilitation of I-95 Whittier Bridge—Amesbury and Newburyport	\$2,000,000
308	CA	Streetscape improvements at East 14th St-Mission Blvd in Alameda County	\$750,000
309	NY	Construct W. 79th St Rotunda, New York City	\$2,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
310	TX	Acquire Kelly Parkway Corridor Right-of-way through San Antonio	\$2,000,000
311	NC	Construct new route from US 17 to US 421 in Brunswick and New Hanover Counties	\$1,000,000
312	PA	Construct safety and capacity improvements to Route 309 and Old Packhouse Road	\$250,000
313	OR	Delta Ponds Bike/Pedestrian Path	\$2,880,000
314	FL	Hollywood US Route 1 Young Circle Safety Improvement	\$2,300,000
315	MI	Houghton County, Gravel and paving of remaining 3.2 miles in 5.5 mile stretch of Jacobsville Rd	\$430,000
316	PA	Improve access to Airport Connector from PA 283 to the terminus of the Airport Connector at State Route 230 and adjacent access roads	\$500,000
317	CA	Construct one additional all purpose lane in each direction on I 405 and provide additional capital improvements from SR 73 through the LA County line	\$1,210,000
318	IL	Improve Roads and Bridges, Cook County	\$4,000,000
319	CA	Improve traffic safety, including streetlights, from Queen to Barclay to Los Angeles River to Riverside in Elysian Valley, Los Angeles	\$1,400,000
320	MI	Construction and improvements to Western Avenue and associated streets between Third Street and Terrace Street in Muskegon	\$2,300,000
321	IL	Construct Reed Station Parkway Extension to IL Rt 3, Carbondale	\$2,000,000
322	AL	Construction of Patton Island Bridge Corridor	\$10,000,000
323	MI	Highland, Clyde Road from Hickory Ridge to Strathcona	\$125,000
324	MI	Alger County, Repaving a portion of H-58 between Sullivan Creek towards Little Beaver Road	\$1,600,900
325	TX	Improvements to US 183 in Gonzales County	\$500,000
326	CA	Construct a raised landscaped median on Alondra Blvd between Clark Ave and Woodruff Ave in Bellflower	\$400,000
327	MN	Right of way acquisition for TH23 Paynesville Bypass	\$2,500,000
328	FL	Construct interchange improvements at I-75 and University Parkway	\$500,000
329	CO	For construction and architectural improvements of Wadsworth Bypass (SH121)Burlington Northern Railroad and Grandview Grade Separation	\$4,000,000
330	KS	Construction of 4-lane improvement on K-18 in Riley County, Kansas	\$2,000,000
331	NJ	Replace Rockaway Road Bridge, Randolph Township, New Jersey	\$1,000,000
332	FL	Construction of paved road over existing unpaved roadway on SE 144th Ave from SR 100 to US 301, distance of 1.2 miles	\$3,000,000
333	FL	Construct I-4 Frontage Rd, Volusia County, Florida	\$2,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
334	MD	Construction of Fringe and Corridor Parking Facility at intersection of Clinton Street and Keith Avenue in Baltimore	\$4,000,000
335	OH	Purchase of Right of Way for transportation enhancement activities in Bainbridge Township, OH	\$1,440,000
336	NJ	Rowan Boulevard Parking adjacent to Highway 322 Corridor in Glassboro Township	\$1,000,556
337	CA	Construct interchange on US 50 at Empire Ranch Road in Folsom	\$1,800,000
338	FL	Bicycle and Pedestrian Improvements in the Town of Windermere, Florida	\$300,000
339	TN	Plan and construct a bicycle and pedestrian trail, Smyrna	\$3,000,000
340	CA	Santa Anita Avenue Corridor Improvement project, Arcadia, California	\$3,000,000
341	AS	Shoreline protection and drainage mitigation for Nuuli village roads	\$1,000,000
342	PA	Design, engineering, ROW acquisition, & construction of a connector road between Pennsylvania Rt. 93 & Pennsylvania Rt. 309 in Hazle Township	\$600,000
343	GA	South Tifton Bypass from US 82/SR 520 west to US 319/SR 35 east, Tift County	\$500,000
344	NJ	Streetscape and Traffic Improvement Project to Downtown West Orange	\$1,000,000
345	NJ	Bergen County, NJ -On Route 17, address congestion, safety, drainage, maintenance, signing, access, pedestrian circulation and transit access	\$4,500,000
346	CA	Road widening, construct bike path, lighting, and safety improvements on road leading to Hansen Dam Recreation Area, Los Angeles	\$6,500,000
347	TX	Construct additional 2 lanes to Loop 335 in Amarillo from .3 miles West of Western street to .5 miles West of Broadway	\$2,000,000
348	NY	Reconstruct a historic bridge crossing Maxwell Creek in the Town of Sodus, NY	\$580,000
349	NJ	Safety and operation improvements on Route 73 in Berlin, Voorhees and Evesham	\$1,200,000
350	NJ	Study and preliminary engineering designs for a boulevard on State Route 440 and U.S. Highway Route 1 & 9, Jersey City	\$1,000,000
351	VA	Construction of Route 17-Dominion Boulevard, Chesapeake, VA	\$6,000,000
352	LA	Installation of proper lighting standards to illuminate inbound and outbound ramps of I 10 and portions of HWY 95	\$200,000
353	IN	Cyntheanne Rd. Interchange and Corridor Improvements, Town of Fishers, Indiana	\$500,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
354	ME	Plan and construct North-South Aroostook highways, to improve access to St. John Valley, including Presque Isle Bypass and other improvements	\$4,000,000
355	TN	Plan and construct a bicycle and pedestrian trail, LaVergne	\$1,500,000
356	TX	Build Arkansas Street Grade Separation in Laredo	\$1,000,000
357	CA	Construct new left turn lane at State Route 19 and Telstar in El Monte	\$700,000
358	NY	Meadow Drive Extension—North Tonawanda, New York	\$2,000,000
359	CA	Reconstruct I-880 & Coleman Avenue Interchange & implement other I-880 Corridor operational improvements in Santa Clara County	\$8,000,000
360	OR	Improve Millican, West Butte Road which connects U.S. Highway 20 with U.S. Highway 126	\$2,000,000
361	VA	Metropolitan Washington, D.C. Regional Transportation Coordination Program	\$2,000,000
362	NY	Brooks Landing Transportation Improvements and Enhancement project, Rochester	\$500,000
363	NJ	Construct CR 538 Coles Mill Road Bridge over Scotland Run, Gloucester County	\$500,000
364	TX	Convert discontinuous two-way frontage roads to continuous one-way frontage roads on IH 30 in Texarkana, TX	\$5,000,000
365	TX	Regional bicycle routes on existing highways in Austin, TX	\$1,000,000
366	IN	Construct Interchange at I-65 and 109th Avenue, Crown Point	\$7,454,219
367	GA	Intersection improvement at Harris Drive at SR 42	\$600,000
368	IL	Engineering and construction of the East Branch DuPage River Greenway Trail in central DuPage County, IL	\$100,000
369	NY	Rehabilitate a historic transportation-related warehouse on the Erie Canal in the Town of Lyons, NY	\$600,000
370	NY	Relocating Miller Highway W 59th-72 St. Manhattan under future expansion of Riverside Park; demolishing existing elevated road over park	\$2,500,000
371	MI	Allen Road under the CN Railroad Grade Separation, Woodhaven	\$4,450,000
372	PA	Design, engineering, ROW acquisition & construction of streetscapping enhancements, paving, lighting, safety improvements, parking & roadway redesign in Larksville Borough, Luzerne County	\$200,000
373	AR	Northeast Arkansas Connector (relocation of Highway 226)	\$3,000,000
374	NJ	Reconstruct Route 168 from Route 41 to 6th Avenue in Runnemede	\$658,000
375	NY	Renovation of Metropolitan Avenue center islands	\$1,700,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
376	PA	Rt 60 Millennium Park Interchange, construct new interchange on Rt 60 to provide access to new Lawrence County Industrial Park	\$800,000
377	AR	Bentonville, Arkansas—widen Arkansas Highway 102 between U.S. 71B and the west city limits ...	\$1,500,000
378	PA	Purchase of right-of-way, utilities and construction for Northern Access to Altoona from Interstate 99, Blair County, PA	\$3,000,000
379	CA	Construct Class I bike and pedestrian path from San Luis Obispo to Avila Beach	\$400,000
380	MN	Reconstruct CSAH 61 from south county line to TH 73, Moose Lake	\$316,000
381	AZ	Improving Lone Pine Dam Road in Navajo County	\$1,500,000
382	MI	Construct Road Improvements to North Henry St. from Vermont Ave. to Wilder Rd. Bay City	\$2,700,000
383	TX	Reconstruct I-35E Trinity River Bridge, Dallas	\$15,000,000
384	NY	Town of Greenville rehabilitation of Grahamtown Rd. & Burnt Corners Rd	\$125,000
385	NJ	Completion of Hudson River Waterfront Walkway through Stevens Institute of Technology in Hoboken	\$1,000,000
386	NC	Construct US 74 Bypass, Shelby, NC	\$3,000,000
387	WA	Tukwila Urban Access Improvement Project—address necessary improvements to Southcenter Parkway in Tukwila to relieve congestion	\$1,000,000
388	CA	Construction of a traffic signal at the intersection of Independence Avenue and Sherman Way	\$125,000
389	NH	Design and construction of intersection of Rte 101A and Rte 13 in Milford	\$1,000,000
390	NJ	Construct Rte 30—Pomona Road Intersection Improvements, Atlantic County	\$5,000,000
391	CA	I-10 and Indian Ave Interchange, Palm Springs, CA	\$2,750,000
392	NY	Reconstruction of street, sidewalks and curbs outside of Museum of Modern Art (MOMA)	\$500,000
393	KY	Right of way for and construction of Pennyrite Parkway Extension from 41A S. to I-24	\$3,200,000
394	TN	Sevier County, Tennessee SR-66 widening	\$1,750,000
395	TN	Plan and construct interchange improvements, I-65 at Highland Road	\$400,000
396	IA	Reconstruction of NW Madrid Dr, Polk Co	\$500,000
397	NH	Relocation and Reconstruction of intersection at Route 103 and North Street in Claremont	\$1,300,000
398	IL	To construct a new 2-lane road extending 1650 feet north from intersection with University Park Drive, Edwardsville	\$500,000
399	NY	Town of Highlands reconstruction of bridge on School Street	\$225,000
400	AK	Unalaska, AK Construction of AMHW ferry terminal including approach, staging, and upland improvements	\$7,500,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
401	PA	Design and construct interchange and related improvements to I 83 Exit 4	\$3,500,000
402	OR	U.S. 101 Improvements, Bandon	\$3,300,000
403	MI	Northwestern Highway Extension projects in Oakland County	\$5,000,000
404	PA	PA Route 61 safety improvements, Leesport Borough and Ontelaunee and Muhlenburg Townships	\$2,468,300
405	OH	Improve Rt 62 (Main and Town Streets) Bridges over Scioto River, Columbus	\$3,000,000
406	AK	Planning, design, and construction of a bridge joining the Island of Gravina to the Community of Ketchikan	\$3,000,000
407	MN	U.S. Trunk Highway 14 from Waseca to Owatonna, Minnesota	\$12,000,000
408	TX	Construct Mission Trails Project Packages 4 & 5 in San Antonio	\$5,500,000
409	MS	Upgrade Roads in Carthage, Leake County	\$200,000
410	MI	Construct access road at intersection of Doerr Road and Schell Street to Develop 65-Acre of Municipal Tract of Industrial Land. Village of Cass City, Tuscola County	\$26,000
411	MS	Upgrade roads in Humphreys County Districts 1 and 5 and Isola	\$850,000
412	IN	126th Street Project, Town of Fishers, Indiana	\$1,250,000
413	HI	Construct Puanaiko Street	\$1,000,000
414	AZ	Burro Creek section between Wikieup and the Santa Maria River	\$1,000,000
415	PA	Conduct Environmental Impact Statement study for Parkway West corridor	\$1,000,000
416	SC	Build Railroad Avenue Extension in Berkeley County, SC -SCDOT	\$2,000,000
417	MD	Construct a visitors center and related roads serving Ft. McHenry	\$4,700,000
418	OH	Construction of Gracemont Street Exchange Interstate 77 -Bethlehem Township and Pike Township, Ohio	\$3,000,000
419	MI	Design, Right-of-Way and Construction of the I-196 Chicago Drive (Baldwin Street) Interchange Modification, Michigan	\$21,400,000
420	CA	Folsom Blvd. Transportation Enhancements, City of Rancho Cordova	\$7,000,000
421	TN	improve streetscape and pavement repair, Monroe County, TN	\$300,000
422	TX	IH37 frontage roads in Mathis	\$2,000,000
423	WV	Construct New River Parkway	\$4,500,000
424	NY	Construct sidewalk and improvements on Broadway in the Town of Cortlandt	\$330,000
425	PA	Erie, PA Powell Avenue Bridge Replacement, Asbury Road Improvement Project	\$3,000,000
426	VA	Liberty Street Construction in Martinsville, Virginia	\$1,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
427	CA	Implement streetscape project on Central Avenue from 103rd Street to Watts/103rd Street Station, Watts	\$3,000,000
428	MA	Realignments and reconstruction of a section of Route 32 in Palmer to the Ware town line	\$3,200,000
429	CA	Seismic retrofit of the Golden Gate Bridge	\$10,000,000
430	CA	Upgrade and extend Commerce Avenue, City of Concord	\$1,750,000
431	MA	Somerville Roadway Improvements	\$2,000,000
432	LA	Replace Almonaster Bridge, New Orleans	\$500,000
433	IN	Upgrade Traffic Signals Phase III in the City of Muncie, Indiana	\$640,000
434	FL	Sharpes Ferry Bridge replacement in Marion County	\$800,000
435	IA	US 34 Missouri River bridge relocation and replacement	\$2,500,000
436	NY	Village of Highland Falls repaving and sidewalk construction of Oak Avenue	\$150,000
437	MN	Interchange Reconstruction at CSAH4 and US169	\$1,000,000
438	IL	Development and construction of an interchange at Brisbin Rd and Interstate 80	\$6,000,000
439	NE	Design, right-of-way and construction of rail-grade separations throughout Nebraska as identified by Nebraska Dept. of Roads	\$15,000,000
440	MO	Redesign & Reconstruction of the I-270 Dorsett Road Interchange Complex in the City of Maryland Heights	\$2,000,000
441	SC	Build Berlin Myers Extension in Summerville, SC	\$8,000,000
442	IN	Improve 100 South, Porter County	\$1,000,000
443	NY	Improve safety measures at the railroad grade crossings on the West Short River Line, Rockland County	\$1,600,000
444	NJ	Street Improvements and Traffic Signal Replacement in Union City Central Business District	\$800,000
445	GA	Streetscape project to replace sidewalks in downtown Forsyth	\$300,000
446	AK	Westside development Williamsport-Pile Bay Road	\$5,000,000
447	NV	Construct Interstate 15—Las Vegas Beltway Interchange	\$9,000,000
448	NY	Palisades Trailway Phase 2—Rockland County, New York	\$200,000
449	PA	Replace a Highway Rail Grade crossing in Jeannette, PA at Wegleys Road	\$500,000
450	CA	Conduct project design and environmental analysis of Heritage Bridge on Heritage Road linking Chula Vista to Otay Mesa	\$2,500,000
451	MA	Assabet River National Wildlife Refuge, MA, Design and Construction of parking areas	\$500,000
452	NY	Reconstruct Main Street in the Town of Lewisboro	\$90,000
453	MA	Study and analysis of Lowell Westford St.-Wood St. Rourke Bridge Corridor, Lowell	\$600,000
454	OR	Highway 20, Lincoln County	\$7,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
455	MN	Construction of 8th Street North: Stearns C.R. 120 to T.H. 15 in St. Cloud, MN	\$2,000,000
456	IL	Construction of a pedestrian sidewalk along S. Chicago Street in Geneseo, IL	\$145,000
457	OH	Construct Bike and Walking Path from West 210 St to Metroparks Fairview Park	\$450,000
458	NY	Improve Bronx River Greenway 180th St Park Link to Bronx Park	\$800,000
459	MN	City of East Grand Forks Construct 13th St SE Extension	\$1,200,000
460	NY	Improvements to Clark Pl and Cherry Ln-Rt. 6 and 6N in Putnam County	\$370,000
461	NJ	Construct Garden State Parkway Grade Separation, Cape May County	\$40,000,000
462	VA	High Knob Horse Trails—construction of horse riding trails and associated facilities in High Knob area of Jefferson National Forest	\$750,000
463	TN	Plan and construct a bicycle and pedestrian trail, Cookeville	\$2,500,000
464	UT	Provo, Utah Westside Connector from I-15 to Provo Municipal Airport	\$1,000,000
465	CA	I-5 Santa Clarita-Los Angeles Gateway Improvement Project	\$1,500,000
466	NY	Project will revitalize staircases used as streets due to steep grade of terrain in areas in which they are located, the Bronx	\$1,000,000
467	TX	Construct and rehabilitate pedestrian walkways along the Main Street Corridor to improve transit-related accessibility	\$1,000,000
468	MD	Reconstruct East North Avenue (US Route 1) in Baltimore	\$3,200,000
469	CT	Reconstructoin of Lakeville Center to improve pedestrian and vehicle safety at the intersection of Routes 41 and 44	\$895,000
470	NY	Rehabilitation of Bay Ridge 86th Street Subway Station, Brooklyn, NY	\$2,000,000
471	CA	San Gabriel Blvd Rehabilitation Project—Mission Rd to Broadway, San Gabriel	\$300,000
472	NC	To plan, design, and construct the 10th Street Connector Project in Greenville, NC	\$8,000,000
473	OH	To widen Western Reserve Road from SR 7 to Hitchcock Road, Mahoning Co	\$2,500,000
474	NY	Binghamton, Improve Front Street	\$5,000,000
475	FL	U.S. Highway 19 Bayside Segment	\$2,000,000
476	MI	Arenac County, Upgrade Maple Ridge Road from Briggs Road east to M-65	\$1,646,000
477	NY	Village of Highland Falls repaving and sidewalk construction of Mearns Ave	\$225,000
478	NY	Village of Nelsonville improvements, paving & sidewalk installation to North Pearl St, Crown St, Pine St, & Wood Ave	\$250,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
479	CA	Widen Firestone Blvd between Ryerson Blvd and Stewart and Gray Road in Downey	\$2,000,000
480	CA	Construct Air Cargo Access Road to Oakland International Airport.	\$900,000
481	MD	Peer review study of conflicts between road system and light rail operations in Linthicum, MD	\$100,000
482	GA	Resurface and widen Jac-Art Road as part of the Bleckley County Development Authority project ..	\$200,000
483	VA	Construction of Virginia Blue Ridge Trail in Amherst County, VA	\$300,000
484	FL	Implement NE 6th Street/Sistrunk Boulevard Streetscape and Enhancement Project, City of Ft. Lauderdale	\$1,000,000
485	CA	Widen Lakewood Blvd between Telegraph Rd and Fifth St in Downey	\$2,000,000
486	TX	Widen Motor Street thoroughfare in Dallas to improve accessibility to Southwestern Medical District	\$2,500,000
487	MN	Construction of Gitchi-Gami State Trail, Lutsen Phase, CR 34 to Lockport store	\$500,000
488	PA	Widen of SR 309 through the Borough of Coopersburg to create left-turn lanes and complete the Rt. 309 Corridor Improvement Project	\$3,000,000
489	CA	Pasadena Ave/Monterey Rd Partial Grade Separation—Preliminary Engineering—Feasibility, South Pasadena	\$300,000
490	OH	Intermodal Bikeway, Independence	\$500,000
491	MO	Widen shoulder and resurface US 136 and replace 2 deficient bridges between Rock Port and Bethany, Missouri	\$2,000,000
492	FL	S.R.43 (U.S.301) Improvement Project—Ellentown to Parrish, Florida	\$3,000,000
493	GA	Bike and pedestrian paths and other transportation enhancements at Georgia Veterans Memorial Park	\$800,000
494	AK	Citywide pavement rehabilitation in City of North Pole	\$1,000,000
495	GA	Replace and upgrade sidewalks, Glenwood	\$50,000
496	NY	Bruckner blvd along Bronx River Ave, Story Ave to Soundview Park Greenway	\$1,600,000
497	GA	Widen SR 133 from Spence Field to SR 35 in Colquitt County, Georgia	\$2,000,000
498	CA	Mariposa County, CA Improve 16 roads, bridge and one bike path	\$2,500,000
499	LA	Upgrade highway-rail crossings at Madison Street, City of Gretna	\$200,000
500	PA	Two-lane Extension of Bristol Road, Bucks County	\$1,000,000
501	TN	Widen SR30 From Athens to Etowah, Tennessee	\$5,758,000
502	MI	Iosco County, Reconstruct Bissonette Road from Lorenz Road to Chambers Road	\$322,500
503	TX	Development of one-story 300-vehicle parking facility	\$1,200,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
504	WA	Design and construct improved I-182 interchange ramps at Broadmoor Blvd. in Pasco, WA	\$2,000,000
505	NY	Erie Canalway National Heritage Corridor in Lockport, NY- Transportation Enhancements	\$3,250,000
506	MI	M-6 Paul Henry Freeway trail design and construction	\$2,780,000
507	CT	Reconstruction and conversion of Union Station in North Canaan to establish a transportation museum	\$1,705,000
508	OR	Construct passing lanes on U.S. 199, Josephine County	\$1,107,000
509	CA	Scenic preservation and run-off mitigation in the Santa Monica Mountains National Recreation Area near PCH and US101	\$1,500,000
510	IL	South Shore Drive and 67th Underpass	\$1,300,000
511	CA	Mission Boulevard / State Route 71 Interchange—Corridor Improvements	\$4,200,000
512	OR	For purchase of right of way, planning, design and construction of a highway, Newberg	\$11,000,000
513	VA	Smith River Trail—construction of trail along Smith River in Henry County	\$500,000
514	IL	Resurface Clifton Park Ave. and S. Louis Ave., Village of Evergreen	\$400,000
515	NJ	University Heights Connector for improvements to First Street in Newark from Sussex Street to West Market Street	\$637,000
516	GA	Broad Avenue Bridge: Albany	\$500,000
517	CA	Caelsbad, CA Construction of Poinsettia Lane	\$2,000,000
518	CA	Construct pedestrian enhancements on Broadway in Los Angeles	\$2,500,000
519	NJ	Construct Rt 56 Maurice River Bridge Replacement, Salem & Cumberland Counties	\$2,000,000
520	WA	Conduct route analysis for community pathway through Chehalis	\$50,000
521	WA	Construct a multi-jurisdictional non-motorized transportation project parallel to SR99 called the Interurban Trail	\$2,000,000
522	FL	Construct Downtown Bypass Roadway Connector, Lake Mary, Florida	\$500,000
523	NY	To study, design and construct transportation enhancements on the Brooklyn Waterfront Greenway in Red Hook, Greenpoint, and the Navy Yard in Brooklyn	\$5,800,000
524	NY	Update all county and town traffic signage in Wayne County, NY	\$75,000
525	CA	Construct Route 101 Auxiliary Lanes 3rd Ave in the City of San Mateo to Millbrae Ave in Millbrae	\$5,000,000
526	CA	Undertake Cordelia Hill Sky Valley transportation enhancement project, including upgrade of pedestrian and bicycle corridors, Solano County	\$3,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
527	MS	Construct I-20 Interchange at Hawkins Crossing, Lauderdale County	\$2,000,000
528	TN	Sevier, Jefferson, Cocke Counties, Tennessee SR-35&US411 widening	\$1,750,000
529	GA	Upgrade Safety of Bicycle and Pedestrian Access to Public Schools, DeKalb County	\$3,000,000
530	OH	Construction of Safety and related improvements on Rutlege Transfer Road in Vernon Township, OH	\$120,000
531	WI	Reconstruct USH 45 in Antigo	\$2,020,000
532	WA	SR 2/Main Street/Old Owen Road Intersection in Monroe	\$480,000
533	GA	Install landscaping and upgrade lighting on Fall Line Freeway, Reynolds	\$350,000
534	WA	Congestion relief on I-405 with added lanes from SR520-SR522 including 2 lanes each way from NE 85th-NE 124th	\$1,000,000
535	NY	Conduct NYS 5 construction study	\$80,000
536	PA	Widen lanes, add left turn lanes and update & install traffic signals at SR309, SR 4010 interchange in North Whitehall Township	\$1,500,000
537	KY	Reconstruct I-64-KY 180 Interchange, Boyd County, Kentucky	\$2,000,000
538	TX	Widen US 271 from a 2-lane facility to a 4-lane divided facility from Paris, TX to Pattonville, TX	\$1,500,000
539	TN	Carter County, Tennessee SR-362 reconstruction	\$500,000
540	OH	Construct Ohio River Trail, Anderson Township	\$150,000
541	MI	Delta County, CR 515 from US 2 and US 41 in Rapid River to County Road 446 at Days River Road-Bituminous overlay and joint repair	\$320,000
542	FL	Fund design phase for widening US 41 north of Dunnellon to four lanes	\$1,000,000
543	TN	Construction of Elizabethton Connector in Carter County, Tennessee	\$500,000
544	NJ	Newark Waterfront Pedestrian and Bicycle Access project	\$1,500,000
545	ME	Plan and construct Lewiston/Auburn Downtown Connector	\$5,800,000
546	OH	Conduct Miami St along SR Route 53 safety enhancement project to improve access to railroad crossing	\$1,000,000
547	AK	Planning, design, and construction of Juneau access roads in Juneau, Alaska	\$15,000,000
548	TN	Construction of an intersection/interchange in the City of Cleveland along I-75	\$2,400,000
549	FL	Construct Flagler Avenue Improvements, City of Key West, Florida	\$1,000,000
550	CA	Rehabilitate street surface of Cedros Avenue between Burbank Blvd. and Magnolia Blvd	\$43,000
551	VA	Engineering and Right of Way to widen Route 221 in Forest, Virginia	\$1,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
552	NY	Install Improvements for Pedestrian Safety in the vicinity of PS 200	\$250,000
553	TX	SH146 grade separation over Red Bluff Rd	\$17,000,000
554	TN	construction of park access road and adjacent trails at the Athens Regional Park in Athens, TN	\$300,000
555	IL	State Street Road Improvements from 43rd Street to IL Rt 157, East St. Louis	\$2,945,000
556	GA	Streetscape-Dawson	\$200,000
557	SC	Build Carolina Bays Parkway Segment from SC544 to US 17 in Myrtle Beach, SC	\$3,000,000
558	GA	US 341 US 41 SR 7 from Barnesville to SR 3, Georgia	\$4,000,000
559	OH	Reconstruct and widen State Route 82 in North Royalton	\$1,000,000
560	FL	Acquisition, engineering, and construction of West Avenue Connector Bridge, City of Miami Beach, FL	\$1,500,000
561	ME	Safety Enhancements on Routes 11, 6, and 16 for Piscataquis County Industrial Development	\$400,000
562	IL	Study, design, and construction of a designated truck route through the City of Monticello	\$1,132,000
563	CA	Improvement of intersection at Aviation Blvd. and Rosecrans Ave. to reduce congestion	\$2,000,000
564	WI	Preliminary engineering for upgrading I94 between Illinois State Line and Mitchell Interchange in SE Wisconsin	\$9,000,000
565	MI	Cogshall Road Crossing Improvement and Life Safety Access Project in Holly, MI	\$1,200,000
566	MI	Ontonagon County, Improve Fed Forest Hwy 16 from M-38 to Houghton County Line	\$500,000
567	UT	Forest Street Improvements, Brigham City, UT	\$2,000,000
568	NC	I40 Union Cross Road Interchange in Forsyth County, NC	\$1,000,000
569	NJ	Construct Sea Isle Boulevard Reconstruction from Garden State Parkway to Ludlams Thoroughfare, Cape May County	\$2,000,000
570	CA	I-5 HOV Improvements from Route 134 to Route 170	\$500,000
571	NY	Reconfiguration of intersection and redesign of traffic signal timing at Mohegan Ave and Lakeland St	\$475,000
572	CA	Shoal Creek Pedestrian Bridge (San Diego)	\$1,000,000
573	GA	Streetscape-Cordele	\$250,000
574	CA	Construct I-605 Interchange Capacity Improvements in Irwindale	\$2,000,000
575	SC	Construction of interchange at I-385 and SC 14, Exit 19, in Laurens County, South Carolina	\$2,200,000
576	NE	Design, right-of-way and construction of Nebraska Highway 35 between Norfolk and South Sioux City	\$4,000,000
577	MO	Complete impact study for North Oak Highway corridor redevelopment	\$500,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
578	MA	Design and construct the 1.5 mile East Longmeadow Redstone rail Trail bike path	\$1,500,000
579	NY	Improve bicycle and pedestrian safety on Main Street, Holbrook	\$100,000
580	CA	Tuolumne, Stanislaus and Merced Counties Upgrade existing county highway, J59	\$2,500,000
581	FL	U.S. 19 Continuous right turn lanes in Pasco County	\$7,000,000
582	NJ	Union Boulevard Revitalization and Streetscape Enhancements, Totowa	\$500,000
583	IL	Improve roads, The Village of Westchester	\$1,000,000
584	IN	Reconstruct 45th Avenue from Colfax Street to Grant Street, Lake County	\$2,700,000
585	IN	Construct Grade Separation Underpass on Main Street in Mishawaka, Indiana	\$1,000,000
586	UT	Construct two-lane divided highway from the Atkinville Interchange to the new replacement airport access road in St. George	\$4,000,000
587	CA	Diamond Bar On-Off Ramp at Lemon Ave on SR-60	\$12,000,000
588	NY	Harlem Hospital Parking Garage	\$10,000,000
589	MA	Downtown revitalization for Pleasant Street, Malden	\$1,900,000
590	NY	Install Improvements for Pedestrian Safety in the vicinity of Prospect Park Yeshiva	\$250,000
591	NY	Emergency vehicle preemption system at traffic signals, Smithtown	\$500,000
592	CA	Reconstruct interchange for south-bound traffic entering I-80 from Central Avenue, City of Richmond	\$3,000,000
593	KY	Reconstruct KY 393, Oldham County, Kentucky	\$2,000,000
594	CA	Reduce Orange County Congestion Program	\$250,000
595	CA	Street Closure at Chevy Chase Drive, Glendale	\$800,000
596	PA	Allegheny City Urban Runoff Mitigation-eliminate urban highway runoff and the discharge of culverted streams into municipal combined sewers	\$1,000,000
597	SC	Construct Briggs-Pearson-DeLaine Connector	\$25,000,000
598	NM	Construct an interchange on I-25 to provide access to Mesa del Sol in Albuquerque	\$4,000,000
599	OR	Short Haul Intermodal Pilot Project, Eugene	\$2,500,000
600	VA	Rivermont Ave. (Lynchburg) Bridge improvements	\$1,700,000
601	MA	Construct new interchange on I-95 between existing Route 1A ramp to the north and Route 123 ramp to the south, Attleboro	\$500,000
602	OH	Construct Waverly, Ohio South Connector from US 23 to SR 104 to SR 220	\$3,200,000
603	VA	Craig County Trail—improvements to trail in Craig County	\$150,000
604	CO	US 160, State Highway 3 to East of the Florida River	\$6,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
605	AS	Village road improvements for Ta'u, Ofu, and Olosega-Sili counties in Manu'a district	\$1,400,000
606	PR	Construction of 4 lane connector serving PR 9922, PR 9939 and PR 183	\$1,950,000
607	PA	Design, engineering, ROW acquisition & construction of streetscapping enhancements, paving, lighting, safety improvements, parking, garage & roadway redesign in Duryea Borough, Luzerne County	\$200,000
608	OK	SH-33, Widen SH-33 from the Cimarron River East to US-177 Payne County, OK	\$8,000,000
609	TX	Washington Boulevard Improvements in Beaumont, Texas	\$2,600,000
610	FL	Widen Midway Road from South 25th Street to U.S. 1 in St. Lucie County	\$2,000,000
611	NY	Enhance road and transportation facilities in the vicinity of W. 65th St and Broadway, New York City	\$5,000,000
612	LA	Construct Kansas-Garrett Connector and I-20 Interchange Improvements	\$5,000,000
613	PA	Construct the SR 1058 Connector between PA 309 and the Pennsylvania Turnpike Northeast Extension in Montgomery County	\$1,600,000
614	OK	Reconstruct the Interstate 44 193rd street interchange	\$3,000,000
615	NY	Roadway improvements to Woodbury Rd at intersection with Syosset-Woodbury Rd	\$2,000,000
616	RI	Construct a handicapped accessible trail and platform at Kettle Pond Visitor Center Administrative Facility	\$200,000
617	NJ	Construct Great Swamp National Wildlife Refuge Road	\$250,000
618	CA	Grade Separation at 32nd Street between I-15 and Harbor Drive, San Diego	\$1,000,000
619	IN	Widen Old Meridian Street from 2 to 4 lanes, City of Carmel, Indiana	\$1,000,000
620	WI	Construct a bicycle/pedestrian path, City of Portage	\$2,200,000
621	VA	Widen Route 17 in Stafford	\$4,000,000
622	VA	Widen Route 820 in Bergton, Virginia	\$1,200,000
623	IL	Construction of 2 North/South Blvds. and 2 East/West Blvds. in the vicinity of Northern Illinois University	\$7,500,000
624	CA	Begin construction of road from US-395 west towards SR-14	\$1,000,000
625	PA	Design, engineering, ROW acquisition & construction of streetscapping enhancements, paving, lighting, safety improvements, parking & roadway redesign in Old Forge Borough, Lackawanna County	\$200,000
626	PA	Improvements to Amtrak Keystone Corridor grade crossings at Irishtown Rd., New Comer Rd., and a new bridge at Ebychiques Rd	\$500,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
627	TN	Acquire and construct trail and bikeway along S. Chickamauga Creek in Chattanooga, TN	\$1,600,000
628	TX	Interchange improvements IH-30 Arlington at FM 157 (Collins Street) and Center Street	\$2,000,000
629	MO	Highway 350 Access Management Study from I435 to I470	\$1,000,000
630	TX	Mile 6 W from US83 to SH 107, Hidalgo County ..	\$1,000,000
631	NJ	Pedestrian facilities and street lighting on Haddon Avenue from Albertson Avenue to Glenwood Avenue, Haddon Township	\$433,000
632	NY	Rehabilitate highway bridges--Ithaca secondary line	\$2,500,000
633	WA	Buckley, WA; New Road alignments on 112th Street Corridor	\$2,000,000
634	ID	Construct Washington Street North from Addison Avenue to Pole Line Road	\$4,500,000
635	SC	Construction of the US-15/SC-341 connector parallel to I-20, Lee County	\$4,500,000
636	PA	Construct Recreational Trail from Oil City to Rynd Farm (Venango County)	\$1,000,000
637	TX	FM 1637 from FM 3051 to FM 185, Waco	\$2,000,000
638	VA	Green Cove Station—improvements to existing Forest Service facility located at trailhead of Virginia Creeper Trail	\$100,000
639	NJ	South Essex Street Bridge Pedestrian Access Improvements, Orange	\$578,000
640	TX	FM 3391 (East Renfro St.) from I-35W to CR 602, Burleson	\$1,500,000
641	WI	Replace Wisconsin Street Bridge (STH 44) in Oshkosh, Wisconsin	\$10,000,000
642	CT	Construct Route 11 Extension and Greenway from Salem to Waterford	\$16,000,000
643	TX	Drainage Study and Engineering for US 83 in Starr County	\$1,000,000
644	TN	widen SR-62 in Knox County, TN	\$6,500,000
645	GA	Widen US 17 SR 25 from Yacht Drive to Harry Driggers Boulevard, Glynn County, Georgia	\$2,000,000
646	KY	Widen US 25 from US 421 North to KY 876, Madison County	\$1,000,000
647	GA	Widen US 280/SR 30 from east of Flint River to SR 300 Connector west of Cordele	\$1,000,000
648	MS	Upgrade roads in Gunnison, Mound Bayou, Beulah, Benoit, and Shaw, Bolivar County	\$2,000,000
649	NY	Construct and enhance Fillmore Avenue and traffic down-grade and infrastructure improvements to Humboldt Parkway, Buffalo	\$1,500,000
650	NJ	Construct Route 46 & Main Street intersection in Lodi	\$2,000,000
651	MN	Phase III construction of Trunk Highway 610-10 Minnesota	\$5,000,000
652	NM	NM 128 JCT NM 31 East to Texas State Line	\$3,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
653	NJ	Replacement of Prospect Avenue Culvert, City of Summit, County of Union	\$400,000
654	FL	US 441 Traffic Improvements---Road surface, road access, curb, gutter, and right of way, Miami Gardens	\$900,000
655	MN	Environmental studies and right of way acquisition for Trunk Highway 55 Corridor Protection Project	\$5,000,000
656	NY	Roadway improvements on Woodbine Avenue between 5th Avenue and Beach Avenue	\$800,000
657	NY	Saugerties, Improve downtown streets	\$1,200,000
658	IN	Widen US 31 Hamilton County, Indiana	\$1,000,000
659	GA	Build a bridge across Big Indian Creek, Perry	\$1,500,000
660	MI	Carpenter Road Reconstruction—700 feet South of Textile Road to I-94, Washtenaw County	\$2,000,000
661	IN	Resurface and widen Shelby County Indiana 400 North Phases IV and V	\$500,000
662	SC	Widen West Georgia Road from Neely Ferry Road to Fork Shoals Road	\$2,000,000
663	TX	Construct Phase II of City of Killeen SH-201	\$4,000,000
664	MN	Interchange improvements at I-94 and CSAH 19 and at CSAH 37 in the city of Albertville, MN ...	\$1,000,000
665	KY	Construction of bypass between KY 55 and US 68 at Lebanon in Marion County	\$1,000,000
666	NY	Peruville Road. Creating overpass to address intersection safety issue	\$2,000,000
667	OR	Add a southbound lane to section of I-5 through Portland, OR between Delta Park and Lombard	\$5,000,000
668	MN	10th Street Bridge Expansion in St. Cloud, MN	\$1,000,000
669	NJ	Intermodal Access Improvements to the Peninsula at Bayonne Harbor	\$2,000,000
670	TX	Nolana Loop from FM 1426 to FM 88, Hidalgo County	\$2,000,000
671	OH	Perry Park Road Improvements and Pedestrian Trail Expansion at Call Road in the Village of Perry, OH	\$67,000
672	NV	Implement Regional Transportation of Southern Nevada FAST system	\$3,000,000
673	NY	Bronx River Greenway 233rd Street Connection	\$1,000,000
674	PA	Construction of turn lanes, increase curve radius at the intersection of SR 3041 and Industrial Park Road, Somerset, Pa	\$435,000
675	FL	Planning and design for development of future highway connections to the Southwest Florida International Airport	\$500,000
676	WI	Reconstruct and rebuild St. Croix River Crossing, connecting Wisconsin State Highway 64 in Houlton, Wisconsin to Minnesota State Highway 36 in Stillwater Minnesota	\$7,000,000
677	TN	Conduct study for SR45 to SR386 Connector	\$500,000
678	IN	Reconstruct and widen Shelby County Indiana 500 East from 1200 N to US 52	\$1,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
679	MO	Removal and Replacement of the Grand Avenue Bridge in the City of St. Louis	\$3,500,000
680	TX	Conduct reconstruction and managed lanes project on Airport Freeway (SH 183-SH 121) from IH 820 to the Dallas County Line	\$5,000,000
681	FL	Reconstruction of Hanford Boulevard, North Miami Beach	\$2,750,000
682	MA	Commonwealth Ave/Kenmore Sq. Roadway & Pedestrian Improvements	\$5,000,000
683	NY	Pedestrian walkway and bikeway improvements along the NYC Greenway System in Coney Island	\$3,200,000
684	PA	Restore Route 222 in Maxatawny and Richmond Townships, Berks County, PA	\$2,500,000
685	OH	Study and design of modifications to I-75 interchanges at M.L. King-Hopple, I-74, and Mitchell in Cincinnati	\$1,500,000
686	VA	Widen Route 10 to six lanes from Route 1 to Meadowville Road, Chesterfield	\$1,000,000
687	GA	Rebuild sidewalks, install sidewalks, and add speed monitoring system, Alamo	\$250,000
688	CA	Widen Wilmington Ave from 223rd street including ramp modifications, Carson	\$3,000,000
689	WI	Construct STH 32 (Claude Allouez) bridge in DePere, Wisconsin (Brown County, Wisconsin) ..	\$500,000
690	NY	Construction of drainage improvements and aesthetic enhancements to Oak Beach Road in the Town of Babylon, NY	\$430,000
691	WI	Construct an alternative connection to divert local traffic from I-90, a major highway, and allow movement through the Gateway commercial development project	\$4,000,000
692	WA	East Marine View Drive Widening in Everett	\$3,500,000
693	OH	Construction of safety improvements at intersection of US 422 and SR 700 in Geauga County, OH ..	\$300,000
694	WV	Upgrade Route 10, Logan Co	\$5,000,000
695	TX	Conduct Preliminary Engineering for Funnel Project on SH 114 from BS 114L to Dallas County Line and on SH 121 from SH 360 to Dallas Co Line	\$4,000,000
696	NC	Install ITS on US70 Clayton Bypass	\$1,000,000
697	PA	Brighton Road Extension-add new street to N Shore roadway network to facilitate access to amphitheater	\$1,000,000
698	NJ	Broad Street Streetscape Project in Elizabeth to provide physical improvements and to enhance transportation flow and efficiency	\$700,000
699	FL	Construction of 4 lane highway around Jacksonville connecting US1 to Route 9A	\$3,000,000
700	WA	510-507 Loop—Conduct engineering, design, and ROW acquisition for alternative route to two existing highways that bisect Yelm, WA	\$2,500,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
701	CA	Develop and implement traffic calming measures for traffic exiting the I-710 into Long Beach	\$1,000,000
702	CA	San Diego, CA Construction of the I-5 and SR-56 Connectors	\$4,000,000
703	IL	Upgrade Ridge Avenue, Evanston	\$3,000,000
704	SC	Widening and Improvements for Highway 901, York County	\$2,000,000
705	IA	Widening and Reconstruction, I 235, Des Moines ...	\$6,500,000
706	CA	Bay Road improvements between University Avenue to Fordham, and from Clarke Avenue to Cooley Landing. Northern access improvements between University and Illinois Avenues, East Palo Alto	\$6,000,000
707	NC	Project to widen US 501 from NC 49 in Roxboro to the VA state line with part on new location	\$4,000,000
708	NY	Congestion reduction, traffic flow improvement and intermodal transfer study at Roosevelt Avenue/74th Street in Queens	\$640,000
709	CA	Construct bicycle and pedestrian bridge between Oyster Bay Regional Park in San Leandro and Metropolitan Golf Course in Oakland	\$750,000
710	TX	For construction of Seg 5 and 6 of SH 130 from 183 to Seguin, TX	\$5,000,000
711	NJ	Construct the Airport Circle Elimination at Tilton and Delilah Roads, Atlantic County	\$1,000,000
712	KY	Construct North Somerset Bypass in Pulaski County from Nunn Parkway to KY 80	\$7,000,000
713	NV	Construct US Highway 95—Las Vegas Beltway Interchange	\$8,000,000
714	NY	Repair and repave the north side of the Mineola train station	\$150,000
715	IL	Repair of CH 29 and reconstruction of CH 8 at interchanges with Interstate 55 at Towanda and Lexington Illinois	\$1,000,000
716	CA	Conduct a Project Study Report for new Highway 99 interchange between SR 165 and Bradbury Road, serving Turlock/Hilmar region	\$500,000
717	PA	Construction of US-22 to I-79 Section of Southern Beltway, Pittsburgh, Pennsylvania	\$1,000,000
718	MN	Construction of new highway between the bridge over Partridge River on CR 565 in Hoyt Lakes to the intersection of CSAH 21 and 70, Babbitt	\$3,000,000
719	CA	State Route 1 improvements between Soquel and Morrissey Blvd including merge lanes and the La Fonda overpass, Santa Cruz	\$3,670,000
720	WA	The West Corridor Coalition in Washington state ...	\$500,000
721	WA	North Sound Connecting Communities Transportation Project Planning	\$1,000,000
722	FL	West Relief Bridge Rehabilitation, Bay Harbor Islands	\$1,500,000
723	NE	Western Douglas County Trails Project, Nebraska ..	\$5,500,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
724	TN	Bristol, Tennessee highway-RR grade Crossing improvement—Hazelwood Street	\$100,000
725	GA	Extend East Greene Street, install street lights, utilities, and landscaping, Milledgeville	\$400,000
726	CA	Grade Separation at Vanowen and Cliveborne, Burbank	\$1,000,000
727	MA	Improve traffic signal operations, pavement markings & regulatory signage, Milton-Boston City Line	\$1,500,000
728	NY	Port Jervis, NY downtown pedestrian mall and promenade	\$650,000
729	MN	Construct Soo Line Trail from north of Bowlus to the east side of Mississippi River	\$495,000
730	WI	Construct traffic mitigation signals, signs, and other upgrades for Howard Ave, St. Francis	\$400,000
731	NH	Reconstruction of NH 11 and NH 28 Intersection in Alton	\$700,000
732	CA	Riverside Drive Improvements, Los Angeles	\$400,000
733	CA	Upgrade CA SR 4 East from the vicinity of Loveridge Road to G Street, Contra Costa County	\$15,000,000
734	TX	Widen SH 24 from a 2-lane facility to 4-lane divided facility from SH 19 to Cooper, TX	\$1,500,000
735	PA	Rail crossing signalization upgrade, Willow Street, Fleetwood, Berks	\$325,400
736	IL	25th Avenue Grade Separation, Melrose Park	\$500,000
737	SC	Construct Hub City Connector Passage (12.5 miles of bicycle-pedestrian improvements, 176-SC 56), part of state-wide Palmetto Trail Project	\$1,000,000
738	FL	Construct US 1/SR 100 Connector, Bunnell, Florida	\$2,500,000
739	MN	Construction of Gitchi-Gami State Trail from Gooseberry Falls State Park Trail Head parking lot to 2.3 miles east	\$700,000
740	CA	Design and environmental analysis for State Route 11 connecting State Route 905 to the new East Otay Mesa Port of Entry, San Diego	\$1,000,000
741	NY	Improve North Fork Trail, Southold	\$200,000
742	HI	Interstate Route H1 Deck Repair, Airport Viaduct	\$4,770,000
743	OH	Replace Grade Separation at Eastland and Sheldon Road, Berea	\$750,000
744	WA	Widen I-5 through Lewis County	\$3,500,000
745	SC	Engineering design and construction of I-73 from the North Carolina State Line to I-95	\$10,000,000
746	OH	Planning and construction of a bicycle trail adjacent to the I-90 and SR 615 Interchange in Lake County, OH	\$2,500,000
747	SC	Widening of Boiling Springs 9 from Rainbow Lake Rd. to SC 292	\$5,000,000
748	IL	Construct Streetscape Project, Orland Hills	\$400,000
749	IL	Widening of Lake Cook Road ITS in Deerfield, IL	\$500,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
750	OR	Widening of Oregon Hwy 217 between Tualatin Valley Hwy and the US 26 interchange, Beaverton	\$10,000,000
751	PR	Widening of PR 111 at the intersections of PR-444 through PR-423	\$6,000,000
752	MI	Widen M-72 from US-31 easterly 7.2 miles to Old M-72	\$2,500,000
753	PA	Widening of Rt.22 and SR.26 in Huntingdon. Upgrades to the interchange at US RT 22 and SR26	\$3,375,000
754	MN	Widening of US Highway 61 at Frontenac Station, MN	\$800,000
755	KS	Construction and reconstruction of four interchanges on I-435, I-35 and US-69 in Johnson Co	\$4,000,000
756	MA	Melnea Cass Blvd Reconstruction	\$2,000,000
757	NH	Improve Meredith Village Traffic Rotary	\$1,000,000
758	FL	Implement Blue Heron Boulevard Streetscape Improvements, City of Riviera Beach	\$2,500,000
759	NY	Install Improvements for Pedestrian Safety in the vicinity of PS 114	\$250,000
760	WI	Reconstruct STH 181 between Florist Ave and North Milwaukee County Line	\$4,500,000
761	LA	Replace the Prospect Street Bridge (LA 3087), Houma	\$3,000,000
762	GA	Streetscape improvements along LaVista Road in the Northlake business district of DeKalb County, Georgia	\$200,000
763	MD	Study Greater Towson Area traffic flow and future needs	\$200,000
764	FL	Construct US 1 Improvements, Cities of Holly Hill and Ormond Beach, Florida	\$400,000
765	OH	Transportation Enhancements to the downtown area of the Village of Chagrin Falls, OH	\$700,000
766	MA	Pedestrian Walkway for the Town of Norwood	\$780,000
767	NJ	Restoration of Route 35 in Ocean County, New Jersey	\$1,500,000
768	PA	Extension of Third Street from Interstate 83 to Chestnut Street, Harrisburg	\$4,800,000
769	TX	Carlton road grade separation, Laredo, TX	\$5,000,000
770	OH	Construct connector roadway between SR13 13 and Horns Hill Road in north Newark	\$250,000
771	TN	Construct new lighting on Veterans Memorial Bridge, Loudon County, Tennessee	\$250,000
772	NY	Roadway improvements on CR3 between Ruland Rd and I-495	\$2,220,000
773	TN	Construct State Route 385 (North and East) around the city of Memphis	\$3,150,000
774	NY	Waterloo, NY by-pass project	\$7,000,000
775	IN	Extend Everbrook Drive from SR 332 to Bethel Avenue in the City of Muncie, Indiana	\$640,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
776	TN	Construct Proposed SR397 extension from SR96 West to US 431 North to Franklin Williamson County	\$2,225,000
777	AK	Construct linking road from airport to port in Akutan	\$1,500,000
778	PA	Uniontown to Brownsville section of Pennsylvania Mon/Fayette Expressway	\$5,000,000
779	NY	Ashburton Avenue Reconstruction, Yonkers, New York	\$1,000,000
780	OR	Highway 22, Polk County	\$1,000,000
781	FL	I-75 Widening and Improvements in Collier and Lee County, Florida	\$45,000,000
782	WI	Pioneer Road Rail Grade Separation (Fond du Lac, Wisconsin)	\$4,000,000
783	FL	Design and construction of double-deck roadway system exiting FLL airport connecting Y.S. 1 and I-595	\$4,000,000
784	MI	Wayne, Reconstruct one quarter of a mile stretch of Laurenwood	\$125,000
785	GA	Construct the West Cleveland Bypass from US 129SR 11 near Hope Road extending west of Cleveland, on new and existing locations to SR75	\$2,900,000
786	IL	Eliminate Highway-Railway crossing over US 14 and realignment of US 14, Des Plaines	\$2,000,000
787	OR	Highway 22-Cascade Highway interchange improvements, Marion County	\$500,000
788	VA	Widen Route 29 between Eaton Place and Route 123 in Fairfax City, VA	\$3,000,000
789	WI	Reroute State Hwy 11 near Burlington, WI (Kenosha County, WI)	\$2,000,000
790	IL	East Peoria, Illinois Technology Blvd. upgrades	\$1,000,000
791	DC	Metro Branch Trail Construction	\$2,000,000
792	MA	Study and design I-93 / Mystic Ave. Interchange at Assembly Sq	\$500,000
793	NM	Widening of US 491 from Navajo 9 to Colorado state border	\$2,000,000
794	FL	Construct access road to link Jacksonville International Airport to I-95	\$5,000,000
795	FL	Widening of SR 60 from 66th Avenue to I-95 in Indian River County, FL	\$1,000,000
796	GA	Widening of SR 133: Colquitt Co./Daugherty Co	\$1,000,000
797	PA	Rail Bridge Removal and intersection improvements, Cameron and Paxton Streets, Harrisburg	\$1,300,000
798	PA	Widening of SR 1001 Section 601 in Clinton County	\$1,000,000
799	PA	Widening of Route 40 in Wharton Township, Fayette County, Pa	\$2,000,000
800	NJ	Widening of Route 1 and intersection improvements in South Brunswick	\$1,000,000
801	PA	construct PA 706 Wyalusing Bypass Bradford County, Pennsylvania	\$1,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
802	IL	Construct four lane extension of IL RT29 from Rochester to Taylorville	\$600,000
803	IL	Widening of Old Madison Road, St. Clair County	\$2,000,000
804	NY	Construction of Bicycle Path and Pedestrian Trail in City of Dunkirk	\$500,000
805	PA	Design, engineering, ROW acquisition & construction of streetscapping enhancements, paving, lighting, safety improvements, parking & roadway redesign in Plains Township, Luzerne County	\$200,000
806	CA	Replace I-880 overpass at Davis St in San Leandro	\$750,000
807	PA	DuBois-Jefferson County Airport Access Road Construction	\$1,000,000
808	GA	Streetscape project to improve accessibility and safety for pedestrians, Mount Vernon	\$500,000
809	IL	Replacement of Fullerton Avenue Bridge and Pedestrian Walkway	\$4,800,000
810	NH	Construct intersection at US 3 and Pembroke Hill Road in Pembroke	\$700,000
811	FL	A new interchange with the Pineda Causeway Extension and I-95	\$11,000,000
812	CT	Make Improvements to Groton Bicycle and Pedestrian Trails and Facilities	\$380,000
813	MN	TH36—Stillwater Bridge; cut-and-cover approach to river crossing	\$500,000
814	NM	US 54 Reconstruction, Tularosa to Santa Rosa	\$2,000,000
815	VA	Daniel Boone Wilderness Trail Corridor—acquire site; design and construction of interpretative center, enhancement of trail corridor	\$3,200,000
816	MI	Widening of M-24 from two lanes to four lanes with a boulevard from I-69 to the county line	\$1,000,000
817	IN	Construct US231 in Spencer and Dubois Counties in Indiana	\$6,000,000
818	TN	Construct overpass at Highway 321 and Highway 11 Loudon County, Tennessee	\$6,500,000
819	SD	Improve the SD Advanced Traveler Information System	\$1,400,000
820	NV	Construct I-15 Widening—US 95- I 515 Interchange to Apex Road	\$6,000,000
821	NY	Implement ITS system and apparatus to enhance citywide truck route system on Avenue P between Coney Island Avenue and Ocean Avenue in the 9th District of New York	\$100,000
822	GA	Install sidewalks, trails, lighting, and amenities in Balls Ferry Park, Wilkinson County	\$500,000
823	CA	Construct Inland Empire Transportation Management Center in Fontana to better regulate traffic and dispatch personnel to incidents	\$1,500,000
824	IL	Reconstruct Milwaukee Avenue, including Six Corners	\$17,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
825	TX	Implementation and quantification of benefits of large-scale landscaping along freeways and interchanges in the Houston region	\$18,496,000
826	PA	Design, engineering, ROW acquisition & construction of a connector road between PA 115 & Interstate 81 in Luzerne County	\$250,000
827	AL	Pedestrian Improvements for Homewood, AL	\$100,000
828	TN	Plan and construct a bicycle and pedestrian trail, Gallatin	\$665,000
829	MA	Conduct design, feasibility and environmental impact studies of proposal to relocate New Bedford/Fairhaven bridge	\$2,000,000
830	IA	Iowa City, IA Construction of arterial extension project connecting Coralville to west and south Iowa City	\$2,500,000
831	NJ	Rehabilitate Route 139 in Jersey City—Portway ...	\$2,000,000
832	NJ	Route 605 extension to US-206	\$1,000,000
833	OH	Widen SR 170 Calcutta	\$2,500,000
834	IA	Widening of Hwy 44, Grimes	\$500,000
835	VA	Widening of Highway 15 in Farmville, Virginia ...	\$5,000,000
836	MA	Design and construct intersection improvements at Memorial Park II on Roosevelt Ave from Bay St to Page Boulevard, Springfield	\$1,000,000
837	SC	Widening of Frontage Road from U.S. 72 to U.S. 56, Laurens, SC	\$2,800,000
838	NY	Mill Road: NY Rte 261 to North Avenue in the Town of Greece	\$2,500,000
839	NC	Widening of Beckford Drive, City of Henderson	\$960,000
840	NY	Realignment of Clove Road and Rt 208, access management improvements in Orange County ...	\$1,200,000
841	NY	City of Peeskill, NY Street Resurfacing Program. Brown Street	\$52,000
842	FL	Fund advanced Right-of-Way Acquisition along SR 52 in Pasco County, Florida	\$3,700,000
843	MA	Design, engineer, permit, and construct “Border to Boston Bikeway” rails-trails project, from Salisbury to Danvers	\$1,000,000
844	FL	Soutel Drive Road Enhancements, Jacksonville	\$1,500,000
845	NJ	Bicycle facilities in West Deptford Township	\$115,000
846	PA	Create a direct connection between State Road 29 and State Route 113	\$3,000,000
847	MA	Design and construction of the north and south-bound ramps on Interstate 91 at Exit 19	\$1,500,000
848	IA	NW 70th Ave reconstruction, Johnston	\$4,500,000
849	NY	Town of Minisink South Plank Road	\$275,000
850	VA	Town of St. Paul—restoration of historic Hillman House to serve as trail system information center and construction of stations on trails	\$150,000
851	PA	Conduct environmental review and acquire right of way for preferred alternative to improve PA 41 ..	\$4,000,000
852	FL	Acquire Right-of-Way for Ludlam Trail, Miami, Florida	\$750,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
853	NY	Construct Safe Routes to Schools projects in New York City	\$3,000,000
854	CO	Construction of US 24—Tennessee Pass, Colorado	\$6,000,000
855	CA	Implement Riverside Avenue Railroad Bridge improvements, south of Interstate 10 in Rialto	\$500,000
856	MA	Longwood Ave/Urban Ring Tunnel Study	\$450,000
857	IL	Traffic Signal Coordination at US 45 at IL 132 (Grand Avenue) and IL 132 at Rollins Road and US 45 at Rollins Road	\$100,000
858	IA	US 63 improvement near New Hampton, Iowa	\$8,700,000
859	NY	Village of Unionville reconstruction of Main Street	\$80,000
860	TX	Widening from two lanes to four of SH 36 from Bellville, TX to Sealy, TX	\$7,000,000
861	KY	Comprehensive Traffic Study for intersection of Main Street and Berea College Campus, Berea	\$600,000
862	TN	Improve State Route 62 in Morgan County near US-27 in Wartburg to Petit Lane from existing two lane highway to four lanes	\$2,000,000
863	IL	Construct West Corbin Overpass over Illinois 255, Bethalto	\$5,000,000
864	OR	Improvements for intersections heavily traveled through which include Beaverton Hillsdale Hwy Scholls Ferry and Oleson, Beaverton	\$250,000
865	FL	Improvements to I-75 in the City of Pembroke Pines, Florida	\$9,750,000
866	CA	Planning, design, engineering and construction of Naval Air Station, North Island access tunnel on SR 75-282 corridor, San Diego	\$5,000,000
867	CA	Construct road from Mace Blvd in Yolo County to federally supported Pacific Flyway wildlife area	\$1,000,000
868	PA	Construction of ramps on I-95 and US 322, widening of streets and intersections	\$3,000,000
869	NY	Construct and restore pedestrian and residential roadways in downtown business district in Rockville Centre	\$1,000,000
870	LA	Plan, design and construct Pointe Clair Expressway in Iberville Parish	\$3,000,000
871	MA	Construction of East Milton Parking Deck over Interstate/Rt. 93	\$1,000,000
872	PA	Reconstruction of I-176 in Cumru and Robeson Townships, Berks County	\$5,000,000
873	MI	Resurfacing of Masonic Boulevard in Fraser	\$1,160,000
874	OH	Construct Ohio River Trail from Downtown Cincinnati, Ohio to Salem Road	\$1,400,000
875	PA	Realignment and reconstruction of SR60 interchange with US22-30 and reconstruct adjacent Tonidale-Bayer intersection	\$1,000,000
876	NY	Constructtion and rehabilitation of East and West John Streets in the Village of Lindenhurst, NY	\$930,000
877	NY	Construct Northern State Parkway and Long Island Expressway access at Marcus Avenue and Lakeville Road and associated Park and Ride	\$6,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
878	PA	Deployment of an Intelligent Transportation System along I-476 Pa Tpke NE Ext/Pa-309 and I-76 Schuylkill Exwy in Montgomery County	\$2,500,000
879	NY	Install Improvements for Pedestrian Safety in the vicinity of PS 153	\$250,000
880	TX	Build 36th Street Extension in San Antonio	\$2,000,000
881	CA	North Atlantic Pedestrian Bridge, Monterey Park ..	\$600,000
882	CA	Reconstruct Eastern Ave from Muller St to Watcher St in Bell Gardens	\$1,000,000
883	PA	Design, engineering, ROW acquisition & construction of streetscapping enhancements, paving, lighting, safety improvements, parking & roadway redesign in West Pittston, Luzerne County ..	\$200,000
884	CA	Design Traffic Flow Improvements Azusa and Amar, City of West Covina	\$1,250,000
885	MI	Reconstruction of Nine Mile Road in Eastpointe	\$1,120,000
886	WA	Redmond, WA City-wide ITS	\$1,000,000
887	IL	Reconstruction and realignment of Baseline Rd, Montgomery, IL	\$2,080,000
888	NY	Transportation Enhancements to support Development of Erie Canal in Niagara and Orleans Counties	\$750,000
889	CO	US 160, East of Wolf Creek Pass	\$7,500,000
890	MA	Design, engineering and construction at I-93 The Junction Interchange, Andover, Tewksbury and Wilmington	\$2,500,000
891	CA	Rosemead Boulevard/Highway 19 Renovation Project, Pico Rivera	\$100,000
892	PA	Intersection improvements at PA Route 209 and Water Company Road, construction of a bridge and access enhancements to Nature and Arts Center, Upper Paxton Township	\$500,000
893	TX	Improvements to FM 1979 in Caldwell County	\$300,000
894	HI	Interstate Route H1 guard rail and shoulder improvements, Waialeale Bridge to Airport Interchange, Honolulu	\$3,800,000
895	MI	M-168 Reconstruction in the village of Elberta	\$2,200,000
896	CA	Colima Road at Fullerton Road Intersection Improvements	\$1,000,000
897	OH	Design and construct Youngstown State University Roadway and Pedestrian Safety Improvements, Youngstown	\$2,500,000
898	MO	Reconstruct Interstate 44 and Highway 39 Interchange	\$5,000,000
899	WA	Complete final Columbia River crossing Environmental Impact Statement for SR35 in Klickitat County	\$800,000
900	KY	Reconstruct US 127 at Bellows Road, Mercer County	\$600,000
901	NY	Roadway and Pedestrian Improvements for Times and Duffy Squares in New York City	\$2,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
902	FL	Six lane expansion of State Road 200 (A1A) from Interstate 95 east to Amelia Island	\$4,000,000
903	MI	Widen and reconstruct Tienken Road in Rochester Hills from Livernois to Sheldon	\$4,000,000
904	NV	Design and Construct I-580 Meadowood Complex Improvements, Washoe County	\$2,000,000
905	NY	Town of Chester reconstruction of 13 independent town roads	\$200,000
906	NY	Implement ITS system and apparatus to enhance citywide truck route system at 9th Street and 3rd Avenue intersection in Kings County	\$100,000
907	TX	Construction of highway infrastructure to provide flood protection for Nueces County	\$1,000,000
908	FL	Widen State Road 80, Hendry County	\$3,500,000
909	NE	Construction of the Columbus, Nebraska North Arterial Road	\$4,500,000
910	KY	Extension of Newtown Pike from West Main Street to South Limestone Street, Lexington	\$16,500,000
911	OH	Road construction and related improvements in the Village of Gates Mills, OH	\$500,000
912	IL	Widening and Reconstruction of 55th Street from Holmes Avenue to Williams Street in Westmont and Clarendon Hills	\$1,000,000
913	IL	Road upgrades for the Village of Oreana, IL	\$884,000
914	ID	Widen Amity Road from Chestnut Street to Robinson Road in Nampa, Idaho	\$2,000,000
915	TX	Widening FM 60 (University Drive) from SH6 to FM 158, College Station	\$3,000,000
916	GA	Widening Cedarcrest Road from Paulding County line to Governors Towne	\$3,150,000
917	CA	Widening Avenue 416 in Dinuba California	\$1,500,000
918	MA	Design and construction of streetscape improvements on Main and Maywood Streets, Worcester	\$600,000
919	TX	Extend Munn Street from Demaree Ln to Gellhorn Drive	\$1,000,000
920	MN	City of Moorhead SE Main GSI, 34th St. and I94 Interchange and Moorhead Comprehensive Rail Safety Program	\$3,000,000
921	AL	Widening and safety improvements to SR-216 between SR-215 and I-59, I-20	\$3,000,000
922	WA	Improve 13.5 mile section of Klickitat bicycle and pedestrian trail between Lyle and Klickitat	\$250,000
923	IL	Improve safety of culvert replacement on 250th Rd between 460th St and Cty Hwy 20 in Grandview Township, Edgar County, IL	\$320,000
924	NY	Kingston, Improve uptown streets	\$1,000,000
925	PA	Replace Blair Creek Bridg over the Little Lehigh Creek, just west of the Maple Grove Bridge, in Longswamp Township, Berks County	\$1,600,000
926	CA	Construct highway connecting State Route 78/86 and State Route 111, Brawley	\$9,500,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
927	GA	Widening and improvements on Colerain Road in St. Marys, Georgia	\$1,000,000
928	MD	Implement Pedestrian and Roadway Improvements Contained in the Druid Hill Park Neighborhood Access Program in Baltimore	\$2,000,000
929	AZ	Kabba Wash project between I-40 and Wikieup	\$2,000,000
930	ME	Route 2 Improvements from Bethel to Gilead	\$500,000
931	FL	Widening and Improvements for I-75 in Collier and Lee County	\$27,000,000
932	TX	Widening 349 Dawson and Martin County	\$2,000,000
933	WI	Widen Wisconsin State Highway 64 between Houlton and New Richmond	\$4,000,000
934	IN	Widen Wheeling Avenue from Centennial to McGalliard Road in the City of Muncie, Indiana	\$960,000
935	MN	Construct a bike trail along the north side of TH 11 to the Voyageurs National Park Visitor Center on Black Bay of Rainy Lake	\$540,000
936	FL	Construct pedestrian underpass and safety improvements at SR A1A and Castillo Drive, City of St. Augustine	\$1,600,000
937	CA	Rehabilitate street surfaces in Sherman Oaks	\$124,000
938	CA	Repair and realignment of Brahma Dr. and Winnetka Ave	\$300,000
939	NJ	Riverwalk in Millburn along the West Branch of the Rahway River	\$750,000
940	AL	I-20 widening and safety improvements in St. Clair County	\$4,000,000
941	TN	Plan and construct Rutherford County visitor's center/ transportation information hub	\$500,000
942	UT	Streetscape a two-lane road and add turning lanes at key intersections on Santa Clara Drive in Santa Clara	\$500,000
943	CA	US 101 Operational Improvements, San Jose	\$5,000,000
944	IL	Upgrade traffic signal system on 87th Street, Chicago	\$500,000
945	LA	Water Well Road Gateway Corridor (LA 478)—Design, Right of Way, and Construction of 3.6 miles from I-49 to LA 1	\$5,650,000
946	CO	East 104th and US85 Intersection: Study, design and construction of needed improvements to intersection	\$1,000,000
947	FL	Widen West Virginia Drive from Floresta Drive to US 1 in St. Lucie	\$3,000,000
948	ID	Widen US-95 in Idaho from Jct. SH-1 to Canadian Border	\$3,000,000
949	IL	Engineering of the Willow Creek Trail Extension from Rock Cut State Park to the Long Prairie Trail	\$200,000
950	CA	Widen Interstate 8 overpass at Dogwood Road, Imperial County	\$2,122,500

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
951	CA	Improve bridge 58-7 on SR 115 that crosses the Alamo River in Holtville and also project design and environmental analysis of a new bridge over the same river	\$1,000,000
952	ID	Widen US-95 from Worley to Mica Creek, Idaho	\$3,000,000
953	MI	Complete the 2 segments of US-127 from Ithaca to St. Johns to a limited access freeway	\$5,000,000
954	CA	Construct a new interchange where I-15 meets Cajalco Road in Corona, CA	\$10,000,000
955	OH	Construct interchange at CR 80 on IR 77 near Dover	\$5,000,000
956	TX	US 67, widening from Nolan River to West Buffalo Creek, Cleburne	\$3,000,000
957	NC	Widen and improve I 85 through Cabarrus County from US 29—49 to 29—601	\$8,000,000
958	NC	US401 from Raleigh to Fayetteville	\$4,000,000
959	GA	Construct and Improve Westside Parkway, Northern Section, in Fulton County	\$4,000,000
960	NY	City of Peeskill, NY Street Resurfacing Program. Hudson Avenue	\$130,000
961	CA	Construction of CA 101 Auxiliary Lanes, Marsh Rd. to Santa Clara County Line	\$2,250,000
962	NY	For the acquisition of ferry boats and ferry terminal facilities and operation of ferry service from Rockland County-Yonkers-Manhattan	\$1,500,000
963	IL	For engineering, right-of-way acquisition and reconstruction of two existing lanes on Arsenal Road from Baseline Rd to Rt 53	\$1,750,000
964	PA	For the Scranton City Redevelopment Authority to design, engineer, acquire ROW & construct streetscapping enhancements, paving, lighting & safety improvements, parking & roadway redesign	\$2,500,000
965	FL	Construct landscaped sidewalks, bus lanes, pedestrian/bicycle paths, vehicular lanes, City of Plantation	\$1,536,041
966	NY	Improve Route 17—Access Control, Elmira to Chemung	\$2,500,000
967	PA	Design, engineering, ROW acquisition & construction of streetscapping enhancements, paving, lighting, safety improvements, parking & roadway redesign in Plymouth Borough, Luzerne County	\$200,000
968	ID	Improve SH-75 from Timmerman to Ketchum	\$5,000,000
969	OR	Improve U.S. 97 from Modoc Point to Algoma	\$2,000,000
970	SD	Construct an interchange on I-90 at Marion Road west of Sioux Falls	\$1,400,000
971	CA	Realign First St between Mission Rd and Clarence St in Los Angeles	\$1,250,000
972	MO	Relocation of Route 13 Branson West Bypass	\$5,200,000
973	IL	Resurfacing Congress Parkway, The Illinois Department of Transportation	\$500,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
974	RI	Establish interchange between Route 4 and Interstate 95	\$6,000,000
975	TX	Improvements to FM 676 in Alton	\$500,000
976	MA	Reconstruction of Goddard Memorial Drive from State Route 9 to Airport Drive, Worcester	\$2,000,000
977	FL	Homestead, FL Widening of SW 320 Street (Mowry Drive) from Flagler Avenue to SW 187 Avenue	\$2,500,000
978	CT	Broad Street Reconstruction Project in New Britain	\$1,800,000
979	PA	Construct Johnsonburg Bypass	\$4,400,000
980	CT	Construct Valley Service Road Extension, North Haven	\$2,000,000
981	VA	Construction of transportation related enhancements and infrastructure of the VMFA project	\$1,000,000
982	MI	Reconstruct and Widen I-94 in Kalamazoo, MI	\$14,000,000
983	MD	Land Acquisition for Highway Mitigation in Cecil and Worcester Counties, MD	\$19,500,000
984	CA	Construct overpass on Central Ave at the railroad crossing in Newark	\$750,000
985	IL	City of Bartonville, Street widening and improvements and sidewalk improvements	\$952,572
986	OH	Construct Williamsburg, Ohio to Batavia, Ohio Hike & Bike Trail	\$250,000
987	IL	The continuation of US Route 12 from the Wisconsin state line to the intersection of Tryon Grove Road, Route 12 and Illinois State Route 31	\$3,000,000
988	FL	US17-92 and French Ave. Roundabout, Sanford	\$500,000
989	PA	Design, engineering, ROW acquisition & construction of streetscapping enhancements, paving, lighting, safety improvements, parking & roadway redesign in Hanover Township, Luzerne County	\$200,000
990	MI	Reduction from 3.5 miles of travel to 1.0 miles of travel crossing over the Tittabawassee River on Meridian Road	\$3,000,000
991	ID	Widen US-95 from Top of Lewiston Hill to Moscow, Idaho	\$2,000,000
992	TX	Construct a pedestrian/bicycle trail in the Sunnyside area of Houston	\$750,000
993	TX	Construct remaining 800-foot 4-lane divided thoroughfare for Preston Rd segment between Beltway 8 and Genoa Red Bluff Rd	\$1,160,000
994	AS	Shoreline protection and drainage mitigation for Aua village roads	\$1,000,000
995	SC	Medical University of South Carolina Roadway Enhancement	\$4,000,000
996	PR	Replacement ferries on Culebra and Vieques routes	\$2,000,000
997	MI	Livonia, reconstruct Stark Rd. between Plymouth Rd. and I-96	\$1,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
998	PA	PA Route 309 roadway construction and signalization improvements in Tamaqua Borough	\$2,000,000
999	MA	Union Square Roadway & Streetscape Improvements	\$500,000
1000	TX	Improvements to South McColl Road in Hidalgo County	\$2,400,000
1001	MS	Widen US Hwy 61 and improve major intersections, Natchez	\$2,000,000
1002	TX	Widen US 82 from 2-lane facility to 4-lane facility from FM 1417 in Sherman, TX to US 69 in Bells, TX	\$4,000,000
1003	TX	Widen US 79, from FM 1512 near Jewett to IH-45 to a four-lane divided highway	\$2,000,000
1004	TN	Construct shoulder and turn lane on SR 35 in Seymour, Tennessee	\$1,500,000
1005	NE	Construction of Heartland Expressway between Alliance and Minatare, NE	\$7,500,000
1006	WA	Pedestrian Sidewalk Construction in Snohomish	\$175,000
1007	TN	North Second Street Corridor Upgrade, Memphis ...	\$2,000,000
1008	OH	Purchase High Speed Ferries for Black River Excursion Boat Service, Lorain	\$750,000
1009	MD	MD4 at Suitland Parkway	\$4,000,000
1010	OK	Widen US 60 from approximately 2 miles east of the US 60-US 75 interchange east approximately 5.5 miles	\$1,000,000
1011	NC	Widen US 401 from Wake County to Louisburg	\$3,000,000
1012	PA	CUPSS, Pennsylvania, Urban Maglev Demonstration Test Project	\$5,000,000
1013	TX	Widen US 287 Bypass at Ennis from two to four lanes	\$7,000,000
1014	KY	Widen US 27 from KY 34 to US 150 Bypass, Garrard County and Lincoln County	\$2,000,000
1015	MN	Right of way acquisition for Mississippi River Bridge connecting I94 and US10 between US169 and TH101	\$1,000,000
1016	WI	Rehabilitate Highway 53 between Chippewa Falls and New Auburn	\$4,000,000
1017	IL	Widen U.S. Route 67 from Macomb to Illinois 101	\$2,000,000
1018	IL	Widen U.S. Route 51 from Pana to Vandalia	\$3,000,000
1019	IL	Widen U.S. Route 34 from U.S. 67 to Carmen Road	\$4,000,000
1020	WA	Alaskan Way Viaduct and Seawall	\$14,000,000
1021	NJ	East Coast Greenway bicycle and pedestrian path from New Brunswick to Hudson River	\$1,000,000
1022	FL	Construct bicycle and pedestrian underpass and park under I-95, Miami	\$1,500,000
1023	CA	Implement Van Nuys Road and Safety Improvements	\$500,000
1024	FL	New systems interchange ramps at SR 417 and Boggy Creek Road in Orange County, FL	\$6,000,000
1025	NY	Reconstruction of Tappan Street Bridge in Town of Newark Valley	\$1,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1026	IL	Widen Rakow Road from Ackman Road to IL Rt 31 in McHenry County, Illinois	\$6,400,000
1027	IL	Widen U.S. Route 30 from Rock Falls to Round Grove, Whiteside County	\$500,000
1028	TN	Bristol, Tennessee highway-RR grade crossing improvement—Cedar Street	\$50,000
1029	IL	Perform Broadway and Sheridan Road signal interconnect project, Chicago	\$1,500,000
1030	IL	Widen U.S. Highway 30 in Whiteside County, Illinois	\$1,000,000
1031	WI	Rehabilitate existing bridge and construct new bridge on Michigan Street in Sturgeon Bay, Wisconsin	\$5,000,000
1032	ME	Replacement of the Route 201-A “covered” bridge, Norridgewock	\$1,000,000
1033	AR	Widen to four lanes, improvement, and other development to U.S. Highway 167 from LA state line north to I-530	\$5,000,000
1034	PA	Widen the Route 412 corridor from I-76 into the City of Bethlehem	\$10,000,000
1035	HI	Construct access road for Kahului Airport	\$1,000,000
1036	IL	Improve Highway-Railroad Crossings, Galesburg ...	\$750,000
1037	MN	Sauk Rapids Bridge and Roadway Replacement in Sauk Rapids, MN	\$6,000,000
1038	TN	Construct Transportation and Heritage Museum in Townsend, Tennessee	\$1,000,000
1039	CA	Widen State Route 98, including storm drain developments, from Kloke Road to State Route 111, Calerico	\$3,000,000
1040	CA	Widen State Route 98 from Route 111 to State Route 7, Calerico	\$5,000,000
1041	GA	Construction of bypass around town of Hiram, from SR 92 to US 278, Paulding County, Georgia	\$2,500,000
1042	TX	Construction of the interchanges at BI20 and IH20 for JBS Parkway	\$2,500,000
1043	CA	Widen State Route 46 between Airport Road and the Shandon Rest Stop in San Luis Obispo County	\$33,461,000
1044	TN	Widen State Route 4 (US-78) from Mississippi State Line to Getwell Road (SR-176) in Memphis, Shelby County	\$1,000,000
1045	MI	Baraga County, Reconstruction of county primary road on Bayshore Drive from Haanpaa Road northerly 1.7 miles to Whirligig Road	\$750,000
1046	NY	Town of Warwick, NY walking and biking trail	\$500,000
1047	AK	Bridge over Fish Creek in Matanuska-Susitna Borough	\$1,000,000
1048	GA	GA 400 and McGinnis Ferry Road Interchange, Forsyth County, GA	\$3,900,000
1049	NY	Implement Improvements for Pedestrian Safety in Kings County	\$1,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1050	NY	Reconfigure road through FDR VA Hospital to provide access to Battery Place in Town of Cortlandt	\$395,000
1051	CA	Widen State Route 262, replace two railroad overpass structures, and rebuild on and off ramps between SR 262 and Kato Rd in Fremont	\$4,000,000
1052	TN	Widen State Route 101 in Cumberland County from two lane highway to five lanes between State Routes 282 (Dunbar Road) and 392 in Crossville	\$8,000,000
1053	FL	Widen State Road 50 in Lake County, Florida	\$7,000,000
1054	AZ	Widen SR 95 through Lake Havasu City	\$2,000,000
1055	GA	Widen SR 85 from SR 74 to County Route 126 Bernhard Road, Fayette County, Georgia	\$3,000,000
1056	CT	Construct New arterial roadway from Boston Avenue north to proposed Lake Success Business Park in Bridgeport, CT	\$10,000,000
1057	MI	M-13 Washington Avenue Streetscape Project. Phase II of High Priority Project 192 in PL 105-550. City of Saginaw	\$1,500,000
1058	TX	Improvements to FM 716 in Duval County	\$1,000,000
1059	NY	Town of Chester Surrey Meadow subdivision road improvements	\$300,000
1060	PA	Cresheim Valley Drive Revitalization project involving scenic enhancements & pedestrian safety improvements from Lincoln Drive to Navajo Street	\$1,100,000
1061	NC	Transportation Improvements at Piedmont Triad Research Park, Winston-Salem, NC	\$2,000,000
1062	MO	Upgrade and partially relocate MO Rt 141 from I-64 to Rt 340	\$2,600,000
1063	NY	Construct Millennium Parkway in the Towns of Dunkirk and Sheridan	\$10,500,000
1064	AZ	Construct the Rio Salado Parkway to connect I-10 and Loop 202 freeways to 7th Street in downtown Phoenix	\$8,000,000
1065	TN	Improving Vehicle Efficiencies at At-Grade highway-Railroad Crossing in Lenoir City, TN	\$104,000
1066	NJ	Replacement of Monmouth County bridges W-7, W-8, and W-9	\$2,000,000
1067	OK	US-54, Widen US-54 from North of Optima Northeast to Kansas State Line, Texas County, OK	\$1,000,000
1068	FL	Widen Palm Coast Parkway and I-95 interchange and overpass, Flagler County, Florida	\$2,900,000
1069	FL	Delray Beach Federal Highway pedestrian improvements SE 4th Street to NE 4th Street	\$2,000,000
1070	WI	Expand Highway 10 between Marshfield and Stevens Point	\$20,000,000
1071	NY	Install Improvements for Pedestrian Safety in the vicinity of IS 72/PS 69	\$250,000
1072	TN	Upgrade roads for Slack Water Port facility and industrial park Lake County	\$1,875,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1073	AK	Emergency evacuation road at Point Hope in North Slope Borough	\$3,000,000
1074	MI	Construct railroad grade separation on M-85 (Fort Street) North of Van Horn Road, Trenton	\$2,000,000
1075	IL	Land acquisition, engineering, and construction for the initial 2-lane segments of the Corridor between IL31 to IL25 and other segments of the Corridor as appropriate	\$1,000,000
1076	PA	Modernize traffic signals, complete minor roadway realignment, and improve channelization at US322 and PA10 intersection	\$480,000
1077	KS	Construction of a four-lane access controlled improvement for 4 miles on US-54/400 in Pratt County	\$10,686,000
1078	IN	Upgrade rail crossing at 93rd Avenue, St. John	\$200,000
1079	FL	Widen SR 710 by 2 lanes from Congress Avenue to US-1	\$3,000,000
1080	GA	Widen SR 234/Gillionville Road from Eight Mile Road to Lockett Station, Dougherty County	\$1,000,000
1081	CA	Widen SR 12 to four lanes through Jamieson Canyon (between I-80 and SR 29) for safety concerns and economic growth	\$5,000,000
1082	GA	Widen SR 104 from SR 383/Belaire Road to CR 515/Cumberland Drive (including bridges) in Columbia County	\$4,000,000
1083	IN	Study Traffic on Muncie By-Pass from Centennial Avenue to McGalliard Road in the City of Muncie and Delaware County, Indiana	\$120,000
1084	FL	Construct US 17-92 improvements, Maitland, Florida	\$1,500,000
1085	CA	Widen South Main St.-Soda Bay Rd. between CR 400A (mile marker 0.0-miler marker and 0.7) and CR 502 (mile marker 0.0 and 0.9)	\$3,000,000
1086	VA	Replacement of the 635 Bridge in Orange County, VA	\$500,000
1087	TX	construct Loop 20 in Laredo	\$16,000,000
1088	IA	Construct SE Connector/MLK Pkwy, Des Moines ...	\$7,500,000
1089	FL	Construction and Design of Miami River Greenway Road Improvements and 5th Street Improvements	\$2,000,000
1090	TX	Widen SH 317 from two lanes to four lane divided facility	\$2,000,000
1091	TX	Widen SH 205 from two lanes to a six lane urban divided highway from North of SH 66 to proposed SH 276	\$1,000,000
1092	CA	Widen Santa Maria River Bridge on U.S. Highway 101 between Santa Barbara County and San Luis Obispo County	\$3,400,000
1093	CA	Widen San Fernando Road North, including streetscape projects, Sylmar	\$1,060,000
1094	PA	Central Susquehanna Valley Transportation Project US 15: \$5 million for the final design	\$4,100,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1095	NJ	Construct Rt 49 Cohansey River Bridge Replacement, Cumberland County	\$3,000,000
1096	ME	Construction and snowmobile safety accommodations for Route 116 Bridge, Medway	\$4,000,000
1097	MI	Construct pedestrian trail and bridge in Kearsley Park in Flint	\$100,000
1098	IA	Coralville, IA Implementation of final phase of Safety Improvements Project from 12th Ave to 22nd Ave	\$900,000
1099	IL	Expand and improve Illinois Route 47 Roadway from Reed Road to Kreutzer Road in Huntley, Illinois	\$6,400,000
1100	NY	Build Route 15, Pennsylvania to Presho	\$10,000,000
1101	GA	I-285 Riverside interchange reconstruction, Fulton County, Georgia	\$1,500,000
1102	MN	Construct 3 segments of Cuyuna Lakes Trails, Crow Wing County	\$1,200,000
1103	WA	Improve I-5 interchange at 134th Street in Clark County	\$11,350,000
1104	GA	Construct Pedestrian Safety Improvements on Buford Hwy (SR-13), Dekalb County	\$3,000,000
1105	DC	11th St. Bridges, Rehabilitation of structures as well as new ramps to provide for traffic at Navy Yard, Southeast Federal Ctr., and Gateway Government Ctr	\$32,000,000
1106	MO	Improve U.S. 36 to divided four lane expressway from Macon to Route 24	\$8,000,000
1107	VA	Mill Road Slip Ramp	\$500,000
1108	NY	Construct sidewalks and curbing on Tate Avenue in Village of Buchanan	\$375,000
1109	MI	Delta County, Widen, pulverize, improve drainage at County Rd 497 from US 2 at Nahma Junction southerly 4.75 miles to the village of Nahma	\$575,000
1110	UT	Construction of 200 North Street highway-rail graded crossing separation, Kaysville, Utah	\$4,000,000
1111	FL	Kennedy Blvd. Reconstruction, Eatonville	\$2,000,000
1112	VA	Improvements to public roadways within the campus boundaries of the Virginia Biotechnology Park, Richmond, VA	\$2,000,000
1113	VA	Install Transportation Critical Incident Mobile Data Collection Device in Charlottesville	\$400,000
1114	NY	Ithaca, Design and construct pedestrian and bicycle path	\$544,000
1115	AZ	Navajo Mountain Road on the Navajo Nation	\$1,000,000
1116	PA	Expansion of existing PA Turnpike ITS System	\$4,100,000
1117	TX	Construction of ferryboat for City of Port Aransas	\$400,000
1118	NY	Project will rehabilitate and reopen historic High Bridge, which crosses the Harlem River between Manhattan and the Bronx	\$5,000,000
1119	NJ	Route 17 Congestion Improvements and Widening, from Williams Avenue to the Garden State Parkway and Route 4 in Bergen County	\$12,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1120	IN	Design and construct Tanner Creek Bridge on US50, Dearborn County Indiana	\$1,240,000
1121	NC	Environmental studies and construction of US 74 Monroe Bypass Extension	\$5,000,000
1122	OH	Construct Pedestrian Bridge from east of Dock 32 to Voinovich Park southwest corner, Cleveland	\$2,140,000
1123	GA	Extension of Sugarloaf Parkway, Gwinnett County	\$1,000,000
1124	ME	Construct bicycle and pedestrian bridge over Stillwater River, Orono	\$1,000,000
1125	IL	For widening from two to four lanes, the Brookmont Boulevard Viaduct in Kankakee, IL and adjusting approach grades	\$750,000
1126	GA	I-285 SR 400 interchange reconstruction and HOV interchange, Fulton County, Georgia	\$1,000,000
1127	MN	Construct a road between Highway 332 and TH 11 including a signalized rail road crossing, Koochiching County	\$300,000
1128	MO	Hanley Road from I-64 to south of State Route 100, St. Louis County	\$4,000,000
1129	AL	Expand SR-167 from Troy, AL to Enterprise, AL	\$3,000,000
1130	MN	Construction of primary and secondary access roadways to the Duluth Air National Guard Base, City of Duluth	\$4,250,000
1131	CT	Construct high-speed rail crossing to bike and pedestrian trails -Enfield, CT	\$2,300,000
1132	TX	Expansion of Port Rd at Northbound Frontage Rd of SH146 east to intersection with Cruise Terminal Rd to 6-lane section with raised median ..	\$7,340,000
1133	TN	Construct Western Bypass from Zinc Plant Road to Dotsonville Road, Montgomery County	\$3,400,000
1134	CA	Improvements to SR-67, Mapleview to Dye Road (San Diego)	\$5,000,000
1135	TN	Plan and construct a bicycle and pedestrian trail, Springfield	\$250,000
1136	TX	Expansion of Daniel McCall Dr., Lufkin, TX	\$3,220,000
1137	NY	Rehabilitate the Pines Bridge Road and Lake Avenue and Ryder Road, in Ossining, Yorktown, and New Castle	\$2,765,000
1138	CA	Construct Valley Boulevard Drainage Improvements, El Monte	\$750,000
1139	NJ	Route 82 Union County Streetscape and Intersection Improvements	\$1,000,000
1140	NY	Short Clove Road Rail Overpass, Haverstraw	\$1,000,000
1141	FL	Construct Atlantic Boulevard Improvements, Key West, Florida	\$1,000,000
1142	CA	Implement intelligent management & logistics measures to improve freight movement, Gateway Cities.	\$3,000,000
1143	WI	Expand USH 45 between CTH G and Winchester, Winnebago County, WI	\$5,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1144	NY	Implement ITS system and apparatus to enhance citywide truck route system on LIE Eastbound Service Road at 74th Street to Caldwell Ave, Grand Ave from 69th Street to Flushing Ave, and Eliot Ave from 6	\$100,000
1145	IA	Construct IA-32 Arterial from US 20 in Dubuque Co, IA to US 61 and US 151	\$19,000,000
1146	HI	Kapolei Transportation Improvements, Island of Oahu	\$1,000,000
1147	MA	Quincy Avenue Bridge Replacement	\$900,000
1148	CA	Los Angeles Regional Diesel Emissions Reduction Program For Engine Retrofit, Gateway Cities ...	\$500,000
1149	IL	Reconstruct intersection of Wood Dale and Irving Park roads in DuPage County, IL	\$12,300,000
1150	GA	Social Circle bypass completion, from Stanford Road to SR 11, Social Circle	\$3,000,000
1151	GA	Streetscape Project to install sidewalks and bicycle trails, Gray	\$500,000
1152	MO	Reconstruction of the Tucker Street Bridge in the City of St. Louis	\$7,000,000
1153	PA	Bethlehem Pike improvements from Valley Green Road to South of Gordon Lane, Springfield Township	\$1,000,000
1154	GA	Construct I-75 I-575 HOV interchange, Cobb County, Georgia	\$600,000
1155	IL	Construct multi-use pedestrian path between Oakton St. and Dempster St., Skokie	\$250,000
1156	AZ	Construct link from Twin Peaks Road to I-10 and Linda Vista Blvd. including bridge over Santa Cruz River and overpass of Union Pacific Rail Road	\$5,000,000
1157	PA	Design, engineering, ROW acquisition & construction of streetscapping enhancements, paving, lighting, safety improvements, parking & roadway redesign in Newport Township, Luzerne County	\$200,000
1158	VA	Fries Train Station and Trail—restoration of former train station for use as visitors center and construction of trail along New River	\$1,000,000
1159	PA	Construction SR 3024, Middle Creek Bridge II, South Canaan, Wayne County	\$700,000
1160	WI	Expand USH 141 between STH 22 and STH 64 (Oconto and Marinette Counties, Wisconsin)	\$2,000,000
1161	IL	Development of a coordinated trail system, parking and trail systems in Dixon, IL	\$3,200,000
1162	PA	Installation of comprehensive signage system across 1700 acres of urban parks in Pittsburgh	\$900,000
1163	GA	Interstate 75/ Windy Hill Road Interchange	\$2,000,000
1164	NJ	Bridge replacement and SR31 widening over the Raritan Valley Line in Glen Gardner, Hampton, Hunterdon County	\$1,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1165	VA	Bristol Train Station—historic preservation and rehabilitation of former Bristol, VA train station	\$500,000
1166	CO	I-25 Improvements—Douglas—Arapahoe County Line to El Paso County Line	\$4,000,000
1167	TN	Reconstruct connection with Hermitage Avenue to Cumberland River Bluff in Nashville	\$500,000
1168	IL	For Village of Lemont to construct a bridge over Chicago Ship and Sanitary Canal linking Centennial Trail to I&M Canal Trail	\$100,000
1169	OH	Construct roadway improvement along State Route 62 in Berlin	\$100,000
1170	NY	Reconstruction and improvements of University Avenue and the extension of the ARTWalk project, Rochester	\$2,000,000
1171	NH	Reconstruction and Improvements to NH Route 110 in Berlin	\$2,000,000
1172	PA	Route 6 Resurfacing from Mansfield Borough in Richmond Township to the Village of Mainesburg in Sullivan Township	\$1,000,000
1173	WA	SR 167—Right of way acquisition for a new freeway connecting SR 509 to SR 161	\$2,500,000
1174	MD	I-70: Frederick	\$3,000,000
1175	NY	Planning and Construction of Fort Drum Connector Rd	\$6,000,000
1176	CA	Study and construct highway alternatives between Orange and Riverside Counties, directed by RCTC, working with local transp. authorities, and guided by the current MIS	\$10,000,000
1177	CA	Fresno County, CA Widen Friant Road to four lanes with class II bicycle lanes	\$1,500,000
1178	MO	Study for Highway 160 & Kansas Expressway Corridor	\$2,000,000
1179	FL	Construct Route 9B from US 1 to Route 9A (I-295) to the Duval County line	\$5,000,000
1180	PA	Design, const. widening of PA 94 from York-Adams County line to Elm Street in Hanover, PA	\$3,000,000
1181	CA	Improvement of intersection at Burbank Blvd. and Woodley Ave	\$160,000
1182	NY	I-81 Corridor Improvements in Syracuse, NY	\$2,000,000
1183	WA	Perform final interchange design and property acquisition at Fleshman Way where it crosses SR 129, that enhances safety and passenger and freight mobility and reduces congestion	\$1,050,000
1184	WA	Roosevelt Extension at Urban Avenue to Cameron Way in Mount Vernon	\$4,000,000
1185	NJ	Hazel Street reconstruction, Passaic County	\$2,250,000
1186	FL	Improvements to Eller Drive including right-of-way acquisition and construction of return loop connector	\$1,000,000
1187	MO	Study Highway 37-60 Entire Corridor	\$2,500,000
1188	TX	The District-Tyler Outer Loop 49 Construction	\$5,880,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1189	PA	Tidal Schuylkill Riverfront project consists of an eight mile bike and pedestrian recreation trail from Locust Street to Historic Bartram's Gardens	\$1,680,000
1190	NY	Town of Fishkill reconstruct Maple Ave	\$24,500
1191	IL	For IDOT to expedite pre-construction and construction to widen I-55 from Naperville Road south to I-80	\$3,500,000
1192	UT	200 East Minor Arterial, Logan City, Utah	\$900,000
1193	NJ	Construct I-287, I-80, Route 202 Interchange	\$1,000,000
1194	NY	Design and construction of Fulton Street from Clinton Avenue to Bedford Avenue in Brooklyn, New York	\$5,600,000
1195	TX	Port of Corpus Christi Joe Fulton International Trade Corridor for congestion and safety enhancements	\$500,000
1196	MO	Renovations and Enhancements on the Bicycle Pedestrian Facility on the Old Chain of Rocks Bridge spanning the Mississippi River	\$800,000
1197	CT	Construct Shoreline Transportation Enhancement Projects, Guilford, Branford, East Haven	\$2,000,000
1198	NJ	Highway Improvements in Liberty Corridor	\$5,000,000
1199	OH	Construct SR 104 into a 4 lane facility with a turning lane in Ross County	\$6,000,000
1200	MO	Construct 2 lanes on Hwy 45 from Hwy 9 to Graden Road in Platte County	\$3,000,000
1201	MS	Plan and Construct Highway 45 Bypass in Columbus	\$4,000,000
1202	PA	Reconstruct hwy & replace of bridge on US 422 between the Berks County Line and the Schuylkill River in Montgomery and Chester Counties	\$1,500,000
1203	FL	Construct SR 20 connection to SR 100 via CR 309-C, Putnam County, Florida	\$4,300,000
1204	OH	Road and related pedestrian improvements at SR 283 in the Village of Grand River, OH	\$100,000
1205	NY	Road infrastructure projects to improve commercial access in the Towns of Malta and Stillwater and the Village of Round Lake, Saratoga County, New York	\$8,150,000
1206	NY	Replace structurally deficient bridge over the Pocantico River, the Village of Pleasantville	\$1,000,000
1207	IL	Complete Heavy Truck Loop for DuQuoin Industrial Park	\$625,000
1208	MD	Construction and dualization of US 113	\$15,000,000
1209	GA	Streetscape-Quitman	\$200,000
1210	NY	Town of New Windsor Toleman & Station Roads Reconstruction and area Improvements	\$715,000
1211	IL	Turning lanes to US Rt. 14 (Northwest Highway) at the Arthur Ave Union Pacific Grade in Arlington Heights	\$700,000
1212	WA	Design and construct pedestrian land bridge spanning SR14	\$1,354,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1213	MI	Construction of Greenways in Pittsfield Charter Township—2.5 miles to existing Ann Arbor Greenways, Pittsfield Charter Township	\$299,000
1214	CA	Golden Gate National Parks Conservancy—Plan and Implement Trails & Bikeways Plan for the Golden Gate National Recreation Area and Presidio	\$5,200,000
1215	NY	State of NY Village of Kiryas Joel sidewalk project	\$750,000
1216	OH	Tuscarawas Township, Stark County, Ohio. Improvements to Alabama Ave	\$800,000
1217	NE	Resurfacing of Bellevue Bridge, City of Bellevue, Nebraska	\$500,000
1218	CA	Upgrade and reconstruct I-580/ Vasco Road Interchange, City of Livermore	\$2,500,000
1219	TX	Build Bike Trail at Chacon Creek in Laredo	\$3,300,000
1220	UT	3200 South Project, Nibley, Utah	\$1,000,000
1221	NJ	Expand Route 440—State Street Interchange in Perth Amboy	\$5,000,000
1222	GA	Improvement and construction of SR 40 from east of St. Marys cutoff at mile post 5.0, Charlton County to County Route 61, Camden County, Georgia	\$2,000,000
1223	PA	Erie, PA Regional upgrades to urban-rural corridors	\$800,000
1224	GA	Georgia Construct Three Greenway Trail Project, Dekalb County	\$2,000,000
1225	FL	Croos Creek Boulevard Widening	\$1,000,000
1226	MD	Implement Intelligent Transportation System in Baltimore	\$500,000
1227	OH	Construct an access road into the industrial park near SR 209 and CR 345 in Guernsey County ...	\$800,000
1228	CA	Improve the Rosecrans Ave and Alondra Blvd bridges over the San Gabriel River in Bellflower	\$50,000
1229	PA	Independence National Historic Park scenic enhancement and pedestrian walkways improvement project in conjunction with the park's Executive Mansion Exhibit	\$4,500,000
1230	CA	Modesto, Riverbank & Oakdale, CA Improve SR219 to 4-lanes	\$2,000,000
1231	ME	Modifications to Exit 7/I-295 and to Franklin Arterial, Portland	\$3,380,000
1232	KY	Replace Bridge and Approaches on Searcy School Road over Beaver Creek, Anderson County	\$875,000
1233	NJ	Route 22 Sustainable Corridor Plan	\$5,750,000
1234	NY	Conduct studies, if necessary, and construct the High Line Trail Project, New York City	\$5,000,000
1235	WA	Install dual left turn lanes and intersection signal modifications at SR432 and Columbia Blvd	\$1,750,000
1236	OK	Transportation enhancements for Highway 19 from Ada to Stratford	\$3,000,000
1237	CA	Interstate 15-Base Line Road Interchange Project, Rancho Cucamonga, California	\$5,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1238	SC	Build Interchange at US 17 and Bowman Road in Mount Pleasant, SC	\$6,000,000
1239	CA	Complete Monterey Bay Sanctuary Scenic Trail between Monterey and Santa Cruz counties	\$6,000,000
1240	NY	Improve Hospital Road Bridge between CR99 and CR101, Patchogue	\$6,000,000
1241	NV	Construct Martin Luther King Blvd.—Industrial Rd. Connector	\$6,000,000
1242	MI	I-96 Beck, Wixom Road Interchange, design, ROW, and construction	\$1,000,000
1243	IA	Muscatine, IA Construction of 4.2 mile multi-purpose trail from Musser Park to Weggens Road	\$500,000
1244	GA	Historic preservation of a city bus station in downtown Eastman	\$134,917
1245	TX	Construction of internal roads at Port of Brownsville to make roads safer with less wear and tear	\$1,000,000
1246	NY	NYS DOT Route 55 turning lane at Gardner Hollow Road	\$400,000
1247	TN	Plan and construct a bicycle and pedestrian trail, Lewisburg	\$100,000
1248	TX	Reconstruct Daniieldale Rd from I-35E to Houston School Rd in Lancaster	\$2,000,000
1249	CT	Relocation of Edmond Road in Newtown and construction of additional turning lanes at Rte 6 and Commerce and Edmond Rds	\$600,000
1250	OH	Construction of Interchange at State Route 8 and Seasons Road, Stow, OH	\$3,000,000
1251	NJ	North Avenue-Route 1 Elizabeth Pedestrian and Bicycle Project	\$75,000
1252	AL	Pedestrian Improvements for Morris, AL	\$100,000
1253	NY	Preliminary design and environmental impact study for a collector-distributor road along I-95 from Westchester Ave. to Bartow Ave	\$7,360,000
1254	NJ	Replacement of Signals at the Intersections of Centennial Ave @ Lincoln Ave and Walnut Ave @ Lincoln Ave, Cranford, NJ	\$490,000
1255	KS	Replacement or rehabilitation of the Amelia Earhart US-59 Bridge in Atchison County, Kansas	\$2,000,000
1256	CA	San Diego, CA Interstate 15 Managed Lanes	\$1,000,000
1257	CA	Central Galt & State Route 99 Interchange and Access Improvements	\$3,000,000
1258	OH	Springfield, OH Relocation of North Street	\$2,500,000
1259	KY	Reconstruct KY 89 from Irvine Bypass to 2000 Feet North of Estill County High School, Estill County	\$750,000
1260	NY	Town of East Fishkill new construction Bypass road	\$800,000
1261	CA	Establish new grade separation at Sunset Ave in Banning	\$2,000,000
1262	CT	Construct and Widen Stamford Rail Underpass & Road Realignment Project	\$1,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1263	TN	Hamblen County, Tennessee US11E (SR34) interchange improvements	\$1,000,000
1264	IL	Implement ITS and congestion Mitigation Project on I-294 and I-90	\$4,000,000
1265	AZ	Bridge at 59Th Ave and Glendale Ave	\$2,000,000
1266	TX	Hike and bike trail will tie into the Gellhorn Dr. project providing an improved multi-modal transportation facility	\$1,000,000
1267	OH	Jackson Township, Ohio—Hill and Dales Road widening	\$2,000,000
1268	SC	Build 701 Connector (Southern Conway Bypass) in SC	\$5,000,000
1269	MN	Reconstruct I-694 White Bear Avenue (CSAH 65) Interchange in White Bear Lake	\$500,000
1270	WI	Replace 17th Street Lift Bridge, Two Rivers, Wisconsin	\$6,000,000
1271	MA	Route 116 and Bay Road Intersection Improvements- Amherst	\$4,000,000
1272	IL	Streetscape improvements on Blue Island from 19th -21st St, Chicago	\$1,000,000
1273	TN	Construct and improves intersections in Niota, Tennessee	\$100,000
1274	CA	Upgrade Bellflower intersections at Alondra Blvd and at Rosecrans Ave in Bellflower	\$350,000
1275	NJ	Construct Riverbank Park Bike Trail, Kearny	\$2,500,000
1276	NC	Install ITS on US 52 in Forsyth County	\$400,000
1277	MD	Construction and dualization of MD 404 in Queen Anne, Talbot and Caroline Counties	\$7,000,000
1278	NY	Dutchess County, NY Replace County Bridge BIN 3358440 on DeGarmo Road CR43, Town of Poughkeepsie	\$250,000
1279	IL	Upgrade connector road from IL Rt I-255 to IL Rt 3, Sauget	\$2,400,000
1280	NJ	Reconstruction of Route 46/Route 3/Valley Rd/ Notch Rd Interchange	\$12,000,000
1281	MS	Upgrade roads in Attala County District 4 (Roads 4211 and 4204), Kosciusko, Ward 3 (U.S. Hwy 16), and Ethel (U.S. Hwy 12), Attala County	\$1,000,000
1282	TX	Construction of streets in the White Heather area of Houston	\$9,250,000
1283	MS	Upgrade roads in Canton (U.S. Hwy 51, 22, 16 and I-55), Madison County	\$400,000
1284	IA	Reconstruction of the Neal Smith Trail, bicycle and pedestrian, Polk Co	\$1,000,000
1285	CA	Rehabilitate pavement on Azusa Avenue and San Gabriel Avenue in Azusa	\$500,000
1286	CA	South Bay Cities COG Coastal Corridor Transportation Initiative, Phase 3, El Segundo	\$2,000,000
1287	MS	Upgrade roads in Terry, Edwards, Utica and Bolton, Hinds County	\$1,250,000
1288	FL	US 1 six laning from St. Lucie County line to south of 4th St in Indian River County, FL	\$1,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1289	MD	Expand Route 29 in Howard County	\$5,000,000
1290	WA	Issaquah SE Bypass	\$5,000,000
1291	NY	Town of Patterson Couch Road project	\$75,000
1292	MD	US 220 MD 53 North South Corridor	\$1,000,000
1293	NJ	Improvements to Clove Road and Long Hill Road in Little Falls and Upper Mountain Ave. in Montclair	\$2,750,000
1294	HI	Study of East Hawaii Alternative Road, Island of Hawaii	\$200,000
1295	FL	Town of Southwest Ranches Urban Interchange	\$2,000,000
1296	CA	Long Beach Intelligent Transportation System: In- tegrate functioning traffic management center that includes the port, transit, airport as well as the city's police and fire departments, Long Beach	\$2,000,000
1297	CA	Almaden Expressway Improvements between Branham Lane and Blossom Road, San Jose	\$3,500,000
1298	AR	Construct and rehabilitate University of Arkansas Technology Corridor Enhancement Project	\$1,200,000
1299	CO	US 550, New Mexico State Line to Durango	\$6,000,000
1300	TX	Construct bicycle and pedestrian trails in Hous- ton's historic Third Ward	\$750,000
1301	NY	Village of Cold Spring Main St. sidewalk and lighting improvements	\$250,000
1302	NY	Village of Goshen Hatfield Lane reconstruction	\$250,000
1303	SC	Plan and build Interstate 73 from NC line to Myr- tle Beach, SC	\$10,000,000
1304	TX	IH-35E Bridge Reconstruction over Lake Lewisville	\$1,000,000
1305	FL	Construct College Road Improvements, Key West, Florida	\$500,000
1306	NY	West Harlem Waterfront-ferry, intermodal and street improvements	\$14,000,000
1307	CA	Construct sound barriers at the I-805/S.R. 54 Interchange, National City	\$850,000
1308	NY	Road projects that develop Access to Port Byron and Erie Canal	\$1,250,000
1309	FL	West Palm Beach, Florida, Flagler Drive Reconfig- uration	\$1,000,000
1310	AL	Construct extension of I-565 westward from existing interchange to existing Tennessee River bridges at Decatur, AL	\$5,000,000
1311	CT	Construct Farmington Canal Greenway enhance- ments, New Haven and Hamden	\$2,500,000
1312	GA	Replace sidewalks, upgrade lighting, and install landscaping, Helena	\$400,000
1313	IA	Upgrade US 30 Liberty Square in City of Clinton, Iowa	\$9,500,000
1314	HI	Study of Waianae Coast Emergency Access Road ...	\$500,000
1315	NY	Westchester County, NY Rehabilitation of Lexington Ave, Mt. Kisco	\$500,000
1316	CA	Widen and Improve County Line Road in Calimesa	\$2,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1317	OH	Construct turn lane, install traffic light, and reorient traffic on SR 146 near Bussemer Lane in Muskingum County	\$600,000
1318	RI	Restore and Expand Maritime Heritage site in Bristol	\$1,000,000
1319	OH	City of Green, Ohio. Lauby Road exit improvements	\$1,500,000
1320	NY	Construct Bicycle Path in Town of Bedford	\$500,000
1321	CA	Compton Arterial Reconstruction and Improvement Program, Compton	\$4,000,000
1322	MT	Construction of S. 323 from Alzada to Ekalaka in Carter County	\$12,000,000
1323	IL	Improve Great River Road, Mercer County	\$500,000
1324	FL	Normandy Blvd. & Cassat Ave. Transportation Enhancements, Jacksonville	\$500,000
1325	OH	North Canton, OH Applegrove St. road widening ...	\$3,000,000
1326	MA	Design & Build Cape Cod Bike Trail, with Shining Sea Bikeway, to link core with outer Cape communities & heavily visited national sites	\$4,000,000
1327	TN	Plan and construct N. Tennessee Boulevard enhancements	\$500,000
1328	NJ	Quinn Road realignment, Clifton	\$3,000,000
1329	MO	Reconstruct Interstate 44 and Highway 65 Interchange	\$16,300,000
1330	MN	Reconstruct TH61 from Beaver Bay to Silver Bay. Construction of Gitchi-Gami Spur Trail between main trail and Silver Bay Marina along TH61 roadway segment	\$6,800,000
1331	KY	Reconstruction of KY259 in Edmonson County from Green River Bridge at Brownsville to Kyrock Elementary School	\$1,000,000
1332	LA	Construction of a merge lane at the intersection of I-10 and US 190	\$500,000
1333	AL	Expand SR-210 (Ross Clark Circle) from US231 North to US231 South in Dothan, AL	\$3,000,000
1334	MD	Construct interchange at MD Route 355 at Montrose and Randolph Roads in Montgomery County	\$2,000,000
1335	CA	Construct new interchange and related road improvements on US101 near Airport Blvd, Salinas	\$3,670,000
1336	PA	Construct the French Creek Parkway in Phoenixville, PA	\$5,000,000
1337	MN	Capacity and safety improvements to TH 8, west of 306th St. to eastern city limits, Lindstrom	\$7,200,000
1338	VA	Eastern Seaboard Intermodal Transportation Applications Center (ESITAC) in Hampton Roads	\$1,500,000
1339	IL	Construct underpass at intersection of Damen/Fullerton/Elston Avenues, Chicago	\$5,500,000
1340	AR	Highway 165: Railroad Overpass	\$2,000,000
1341	FL	Implement Snake Road (BIA Route 1281) Widening and Improvements	\$1,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1342	CA	Construction of freeway between I-15 and US-395	\$5,000,000
1343	OH	Lake Township, Ohio. Market Avenue-Lake Center intersections improvement	\$2,200,000
1344	CT	Construct Quinnipiac Linear Trail, Wallingford	\$1,000,000
1345	MI	Construction of a hike and bike path from Riverbends Park, 22 Mile Road, to Stony Creek Park, 25 Mile Road in Shelby Township	\$500,000
1346	IN	Reconstruct Boston Street, from State Road 2 to Bach St., Larson-Whirlpool St. in LaPorte, Indiana	\$500,000
1347	OR	Improvements to Bandon-Charleston State Scenic Tour on Randolph Road and North Bank Lane	\$4,200,000
1348	VA	Conduct study of Route 460 Corridor, Virginia	\$2,000,000
1349	NJ	Construct Sparta Stanhope Road Bridge (AKA Bridge K-07)	\$1,000,000
1350	KY	Reconstruct Turkeyfoot Road, Kenton County, Kentucky	\$3,000,000
1351	OH	Construct additional lane to alleviate traffic congestion on US 40 in and adjacent to St. Clairsville	\$800,000
1352	CO	CO 56th Avenue & Quebec Street Improvements Phase I, Denver	\$6,500,000
1353	OH	Construct Truck Bypass -Orville, Ohio	\$6,004,400
1354	PA	Conversion of Penn and Park Bridges located over Spring Run in Altoona, Pa into pedestrian bridges	\$50,000
1355	CA	Coyote Creek Trail Project—Story Road to Montague Expressway	\$2,500,000
1356	PA	Construct Cameron Street Bridge Northumberland County, Pennsylvania	\$1,000,000
1357	OH	Construct upgrade of SR 16 to 4 lanes from SR 60 to SR 16 in Coschocton County	\$3,000,000
1358	OH	Medina, Ohio. Guilford Avenue urban road collector pavement reconstruction	\$1,960,000
1359	TN	Improvements to I-40 interchange at I-240 East of Memphis (Phase II)	\$3,000,000
1360	WY	Casper Bypass: Reconstruct Old Yellowstone Hwy and 2nd St	\$5,000,000
1361	NY	Construct sidewalks and roadway improvements on Oscawana Lake Road in the Town of Putnam Valley	\$600,000
1362	LA	Engineering and right of way acquisition for I-49 Corridor	\$10,000,000
1363	PA	Design, engineering, ROW acquisition & construction of streetscapping enhancements, paving, lighting, safety improvements, parking & roadway redesign in Edwardsville Borough, Luzerne County	\$200,000
1364	IL	Foster Avenue at Kedzie Avenue Streetscape	\$2,000,000
1365	WV	Construct I-73/74 High Priority Corridor, Mercer Co	\$11,200,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1366	NY	Improve Long and Short Beach Road, Southampton	\$2,100,000
1367	CA	Modify I-880 & Stevens Creek Boulevard Interchange to ease traffic congestion in San Jose	\$12,000,000
1368	NY	Improve road and streetscape along Prospect Avenue in North Hempstead	\$1,000,000
1369	CA	Palm Drive & Interstate 10 interchange project	\$2,750,000
1370	MN	Reconstruct TH 36 from expressway to freeway in North St. Paul	\$6,000,000
1371	CA	Construct I-580 Interchange Improvements in Castro Valley	\$1,200,000
1372	AL	Expand US331 from Luverne, AL to Montgomery, AL	\$3,000,000
1373	TX	Construction of highway medians, pedestrian walkways for City of South Padre Island	\$500,000
1374	NY	Construct Rt. 12 intersection between Pamela Drive-River Road-Located in the Town of Chenango	\$2,400,000
1375	IL	Construct Streetscape Project, Village of Robbins	\$800,000
1376	GA	Effingham Parkway to Connect SR119 to SR30	\$3,000,000
1377	MD	Construct Phase 2 of the Jones Falls Trail from Baltimore Penn Station to the Maryland Science Center on the Inner Harbor	\$4,000,000
1378	IL	For Will County for engineering and right-of-way acquisition to extend 95th Street from Plainfield-Naperville Road east to Boughton Road	\$500,000
1379	PA	Construct Valley Business Park Access Road C, Bradford County	\$2,700,000
1380	LA	Improve by widening, realigning, & resurfacing 3.2 miles of LA Hwy 820 btwn LA Hwy 145 & LA Hwy 821	\$2,000,000
1381	IN	45th Street Improvements, Munster	\$500,000
1382	NY	Install Improvements for Pedestrian Safety in the vicinity of PS 124	\$250,000
1383	VT	Construction and engineering for the Vermont Smugglers Notch Scenic Highway Corridor Southern Gateway and Notch Proper Facilities ..	\$1,085,514
1384	OH	Planning and construction of a network of recreational trails in Perry Township	\$950,000
1385	GA	Construction of the Truman Linear Park Trail-Phase II	\$1,260,000
1386	NJ	Pedestrian and bicycle facilities, and street lighting in Haddon Heights/Barrington	\$750,000
1387	CA	Reconstruct interchange at I-10 and Riverside Avenue to improve traffic in Rialto	\$2,000,000
1388	CA	Reconstruct Bloomfield Av. with medians from Carson St. to north city limits in Hawaiian Gardens	\$400,000
1389	SC	Extension of Wells Highway, Oconee County, South Carolina	\$2,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1390	CA	Reconstruct Paramount Bl. with medians and improve drainage from Artesia Bl. to Candlewood St. in Long Beach	\$600,000
1391	IL	Reconstruction of 5th Street Road (FAS 569) in Logan County, IL	\$952,570
1392	WA	Reconstruction of SR99 (Aurora Ave N) between N 145th St and N 205th St	\$2,000,000
1393	NY	Page Green—Phase III—Reconstruction of 2.6 miles. Town of Virgil, Cortland County	\$3,600,000
1394	MI	Gogebic County, Reconstruct Lake Road in Ironwood from Margaret Street to Airport Road	\$805,000
1395	GU	Piti, GU Construct Cabras Island Intermodal Facility	\$6,000,000
1396	IN	Redevelop and Complete the Cardinal Greenway and Starr-Gennett Area in the City of Richmond, Indiana	\$3,000,000
1397	NY	Rehabilitate and redesign Erie Canal Museum in Syracuse, NY through the Erie Canalway National Heritage Corridor Commission	\$400,000
1398	OH	Construction of 6.25 mile bicycle project in Mahoning County	\$500,000
1399	NM	I-40/Munoz Reconstruction in the City of Gallup ...	\$1,500,000
1400	TX	Rehabilitate Yale Street between IH10 to IH610	\$1,000,000
1401	CA	Reconstruct Long Beach Bl. with medians and improve drainage from Palm Av. to Tweedy Bl. in Lynwood	\$3,000,000
1402	CA	Expand carsharing pilot program to serve low- and moderate-income neighborhoods in the City and County of San Francisco	\$2,000,000
1403	FL	Implement Kennedy Boulevard corridor improvements to improve safety in Tampa	\$2,500,000
1404	MD	Construct Broadneck Peninsula Trail, Anne Arundel County, Maryland	\$1,500,000
1405	MO	Relocation and reconstruction of Rt MM from Rt 21 to Rt 30	\$15,680,000
1406	MN	Replace three at-grade highway-railroad crossings with grade-separated crossings adjacent to Winona State University	\$2,000,000
1407	CA	Construct Traffic flow improvements Vincent and Lakes Drive, West Covina	\$750,000
1408	CA	Construction of an interchange located at the intersection of future State Route 65 and Ferrari Ranch Road-Westwood in Placer County	\$3,000,000
1409	KS	Construct highway-rail grade separation from Douglas Avenue to 17th Street North in Wichita, KS	\$14,000,000
1410	OH	Conduct Phase II of U.S. Route 68 bypass project in Urbana	\$2,300,000
1411	GA	Construct sidewalks and install landscaping, Vienna	\$500,000
1412	TX	Extension of FM 1427 in Penitas	\$700,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1413	MD	MD 124, Woodfield Road, from Midcounty Highway to Warfield Road	\$2,000,000
1414	CA	Rio Vista Bridge Realignment Study & Street Sign Safety Program	\$700,000
1415	CO	SH 121—Bowles Ave Intersection and Roadway Improvements, Jefferson County Colorado	\$2,000,000
1416	NY	Implement Improvements for Pedestrian Safety in Queens County	\$1,000,000
1417	NY	Repair and improve Jericho Turnpike (NYS HWY 25) and construct streetscapes along the Turnpike in New Hyde Park	\$2,000,000
1418	GA	SR 316/SR 20 interchange construction Gwinnett, County	\$500,000
1419	IL	Construct Pedestrian walkways and streetscaping projects in the Village of Western Springs	\$4,210,000
1420	WA	SR 518 corridor—Improvements to SR 518-509 interchange and addition of eastbound travel lane on a portion of the corridor	\$1,000,000
1421	CA	Development and construction of improvements to State Route 79 in the San Jacinto Valley	\$3,000,000
1422	MN	Construct roadway improvements on the Great River Road on CSAH 10 and CSAH 21, Aitkin County	\$6,960,000
1423	WA	Conduct preliminary engineering and EIS for Columbia River Crossing in WA and OR	\$10,000,000
1424	NC	Greensboro Signal System Replacement ITS Enhancement Project	\$12,500,000
1425	MN	Reconstruction of 1 mile of CR 107 from CSAH 2 to Highway 11 and 71, Koochiching County	\$500,000
1426	OH	Plain Township, Ohio. Market Avenue widening	\$5,000,000
1427	LA	Construct right of way improvements from Third St. at James St. to LA. Hwy. One at Broadway St. Acquire property at Third St. and Winn St	\$2,000,000
1428	PA	State Street Bridge Rehabilitation, Hamburg	\$1,500,000
1429	OH	Construct Flats East Bulkhead and Riverwalk: construct bulkhead and riverwalk connecting Front and Maine Ave	\$4,150,000
1430	NY	Construct/reconstruct Lincoln Road: Commercial Street to Route 31F in the Town-Village of East Rochester	\$900,000
1431	OH	Acquire land and construct Portage Bike and Hike Trail, Portage Co	\$1,000,000
1432	NC	Continued development of Cary, NC pedestrian bike paths	\$1,500,000
1433	TX	Cottonflat Road overpass at Interstate 20	\$1,500,000
1434	NY	Improve Rt. 17M access, safety and traffic management	\$750,000
1435	OH	Safety improvements to Paris Avenue intersections and Meese Rd. and Easton St. -Nimishillen Township, Ohio	\$1,500,000
1436	CA	Alameda Corridor-East Construction Authority, San Gabriel Valley	\$300,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1437	WA	Construct a tunnel as part of the Bremerton Pedestrian-Bremerton Transportation Center Access Improvement project	\$21,000,000
1438	NC	Expand Derita Road	\$2,000,000
1439	NJ	Hoboken Observer Highway Operational and Safety Improvements	\$2,500,000
1440	CA	Reconfigure San Fernando Road from Fletcher Drive to I-5 Fwy, Los Angeles	\$7,000,000
1441	NY	Construction of an access road, drainage improvements, and aesthetic enhancements adjacent to Ocean Parkway in the Town of Babylon, NY	\$2,430,000
1442	TX	Construct highway improvements on E. Tidwell, Ley Rd, and E. Little York Rd	\$2,800,000
1443	AZ	Construct pedestrian and bicycle overpass at McDowell Road & 35th Avenue in Phoenix	\$3,000,000
1444	TX	Reconstruct I-30 Trinity River Bridge, Dallas	\$20,000,000
1445	PA	Armstrong and Indiana County, Pennsylvania, U.S. 422 Improvements	\$2,000,000
1446	TX	Bicycle and Pedestrian Trail Network in East Austin	\$9,600,000
1447	NV	Construct I-15 Cactus Avenue	\$10,000,000
1448	AL	I-65 Widening from U.S. 31 in Alabaster (Exit 238) to AL 25 in Calera (Exit 228)	\$8,000,000
1449	NY	Improve Route 4 Streetscape and replace waterlines, Town and Village of Fort Edward, Washington County	\$4,350,000
1450	OH	Planning and construction on bike paths and trails as part of Phases III-VI in Ashtabula Metroparks Western Reserve Greenway	\$1,000,000
1451	CO	Construction of Powers Boulevard and Woodman Road interchange, Colorado Springs	\$8,000,000
1452	MN	Environmental review for TH8 upgrade, Forest Lake to Chisago City	\$600,000
1453	MD	Construct Pedestrian Bridge and Garage at Coppin State University in Baltimore	\$2,100,000
1454	MD	Historic Preservation and Traffic Improvements along Liberty Heights Ave. and in Druid Hill Park in Baltimore	\$1,800,000
1455	NC	I-85 in Vance County	\$1,000,000
1456	PA	Design and construct interchange and related improvements at I 83 Exit 19	\$6,000,000
1457	IL	Preconstruction and Construction at IL 31 from Bull Valley Road to IL 176	\$2,420,000
1458	MS	Replace Popp's Ferry Road Bridge, Biloxi	\$4,000,000
1459	IL	Reconstruct Lakeshore Drive Overpass over Wilson avenue, Chicago	\$1,500,000
1460	AL	Pedestrian Improvements for Moody, AL	\$100,000
1461	MA	Design and construct Canal and Union Street Corridor improvements, Lawrence	\$800,000
1462	OH	Construct new two lane road to Sycamore Street in Gallia County	\$1,250,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1463	AL	Construct interchange on Interstate 85 at Beehive Road in Auburn, AL	\$500,000
1464	ME	Improvements to the Interconnecting Trail System for bike/pedestrian trails near Baxter State Park	\$500,000
1465	TX	ROW acquisition for 87 Relief Route	\$1,500,000
1466	WA	Restore and construct historic Naches Depot and Trail project	\$500,000
1467	GA	S.R. 20 widening from I-575 to S.R. 369, Cherokee County	\$1,000,000
1468	IL	Road Construction and reconstruction in the Village of Hampshire: Keyes Ave., Industrial Drive Overlay, and Mill Avenue	\$2,300,000
1469	IL	Conduct study and design of Chicago North lake-front path expansion project	\$1,000,000
1470	MS	I-59 interchange at US 84 and SR 15, Laurel	\$2,000,000
1471	TX	Improvements to IH-35E from US 77 North of Waxahachie to US 77 South of Waxahachie	\$3,000,000
1472	MO	Scudder Road and I-170 Interchange Improvements, St. Louis County	\$2,000,000
1473	GA	Construct and Improve Cobb County Trails	\$1,500,000
1474	MS	Extend SR 590 from US 11 to SR 29 near Ellisville	\$3,500,000
1475	IN	Improve Intersection at Jackson Street and Morrison Road in the City of Muncie, Delaware County, Indiana	\$560,000
1476	CO	Construction of McCaslin Boulevard US 36 Interchange in Superior	\$1,000,000
1477	MA	Route 128 Improvements—Route 114 in Peabody to Route 62 in Danvers	\$2,000,000
1478	TX	Lubbock, Texas Construction for Marsha Sharp Freeway main lanes between Chicago and Salem Avenues	\$5,600,000
1479	NH	South Road Mitigation in Londonderry	\$1,000,000
1480	NY	Paul Road—Fisher Road Improvements, Town of Chili, Monroe County	\$4,000,000
1481	CA	Construct truck lane on Keystone Road from State Route 111 to Austin Road, Imperial County	\$2,500,000
1482	MS	Construct East Metropolitan Corridor linking I-20 at Brandon to Hwy 25 at Flowood	\$5,000,000
1483	LA	Leeville Bridge, Port Fourchon to Golden Meadow	\$5,000,000
1484	GA	National Infantry Museum Transportation Network	\$3,000,000
1485	AL	Interchange at I-65 and Limestone County Road 24 Constuction	\$1,000,000
1486	PA	Project to realign intersection of King of Prussia Road and Upper Gulph Road to provide turning lanes and signalization	\$1,649,000
1487	MO	Construct diamond interchange at US 71 and Business 71 in Maryville	\$2,000,000
1488	SD	Construction of four-lane highway on US 79 between Maverick Junction, and the Nebraska border	\$7,500,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1489	IL	130th and Torrance Avenue Intersection Improvement, Chicago	\$9,000,000
1490	OK	Improvements to Hereford Lane and US69 Interchange, McAlester	\$1,000,000
1491	GA	Athens-Clarke County Bike Trail Project	\$1,400,000
1492	CT	Construct UCONN Storrs Campus-Hillside Road ...	\$5,000,000
1493	NM	I-25, Tramway North to Bernalillo, Reconstruction	\$2,000,000
1494	NJ	Planning for Liberty Corridor	\$500,000
1495	OR	Sellwood Bridge Replacement,—Multnomah County	\$2,000,000
1496	NM	Statewide ITS Deployment	\$200,000
1497	FL	Acquire Land and Construct the Englewood Interstate Connector in Sarasota County, Florida	\$3,000,000
1498	NY	Elevate and construct drainage improvements to Beach Road, Canal Road, and Sea Breeze Road in Massapequa, New York	\$3,000,000
1499	TX	Design and construction streetscape improvements in Midtown, enhance pedestrian access	\$1,000,000
1500	NY	Replace sidewalk along Route 9A in Hamlet of Montrose, Town of Cortlandt	\$330,000
1501	MN	Construction and widening of TH241 in the city of St. Michael, MN	\$2,000,000
1502	GA	I-75 lanes from Aviation Boulevard to SR 54, Clayton County	\$1,500,000
1503	VT	Construction and rehabilitation of the Cross Vermont Trail for the Cross Vermont Trail Association	\$1,386,000
1504	NY	Construction of a new ramp from 9A Southbound to Taconic State Parkway Southbound, Westchester County	\$1,775,000
1505	NY	Restore vehicular traffic to Main Street in Downtown Buffalo	\$5,000,000
1506	MI	Construction of 5 lane concrete pavement with curb, gutter and sewer on Romeo Plank Road from M-59 to 23 Mile Road in Macomb Township	\$8,000,000
1507	NY	Enhance road and transportation facilities in the vicinity of the Brooklyn Children's Museum	\$50,000
1508	IL	Construct and expand Northwest Illinois US Rte 20 from Freeport to Galena, IL	\$3,000,000
1509	CA	Construction of new roadway lighting on major transportation corridors in the Southwest San Fernando Valley	\$1,000,000
1510	MO	Construct Interstate flyover at Hughes Road and Liberty Drive to 76th Street. Part of Liberty Parkway Project	\$18,000,000
1511	CA	Freeway 180 Improvements Fresno	\$9,500,000
1512	NY	Construct sidewalks and curbs on Valley Road in Town of Bedford	\$450,000
1513	OK	Construction of rail crossing in Claremore at Blue Star Drive and SH66	\$2,000,000
1514	IL	Improve U.S. Route 34 from Kewanee to Kentville Road	\$500,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1515	IL	For Naperville Township to fund improvements to North Aurora Road	\$200,000
1516	WA	Kent—Construct a single point urban interchange (SPUI) under I-5 at South 272nd St	\$1,000,000
1517	TN	Construct Interpretive Visitor Center for the Cherokee Removal Memorial Park Trail of Tears site in Meigs County, TN	\$1,000,000
1518	GA	Create a greenway trail along the Oconee River connecting parks, preserving historic sites, and promoting economic development	\$2,000,000
1519	PA	Design, engineering, ROW acquisition, & construction of streetscapping enhancements, paving, lighting, safety improvements, parking & roadway redesign in Dunmore Borough, Lackawanna County	\$400,000
1520	PA	Add turn lane, modify signals and install pavement markings at intersection of PA422 and PA662 in Amity Township	\$2,430,000
1521	WI	Construct bicycle/pedestrian path and facilities in the Central park area of Madison	\$3,500,000
1522	VA	Expand Route 15 29 in Culpeper, Virginia	\$2,000,000
1523	WV	Fairmont Gateway Connector System to provide an improved highway link between downtown Fairmont and I-79 in the vicinity of Fairmont	\$22,000,000
1524	OR	Construct Barber Street extension, Wilsonville	\$3,000,000
1525	FL	Four-laning SR 281 (Avalon Boulevard) in Santa Rosa County from Interstate 10 to north of CSX RR Bridge	\$12,500,000
1526	OR	Interstate 5 Interchange at City of Coburg	\$9,000,000
1527	IL	Construction of a bridge at Stearns Road in Kane County, Illinois	\$2,000,000
1528	TX	East 7th Street Improvements in Austin	\$525,000
1529	GA	Rebuild SR-10 Memorial Drive for bicycle and pedestrian safety, from Mountain Drive to Goldsmith Road, Dekalb County	\$2,000,000
1530	NJ	Provide an alternative route for traffic passing through congested SR31 corridor in Flemington NJ	\$2,000,000
1531	CA	Construction of a smart crosswalk system at the intersection of Arminta St. and Mason Ave	\$50,000
1532	WI	Reconstruct U.S. Highway 41 north of Lake Butte des Morts Bridge, Wisconsin	\$15,400,000
1533	PA	Improvements to 8th and 9th Street bridges between Pleasant Valley Blvd. and Valley View Blvd, Altoona, Pa	\$490,000
1534	LA	Construction of a direct intermodal truck access road from Interstate 210 to the City Docks of the Port of Lake Charles	\$13,000,000
1535	TX	Construct Links Hike & Bike Trail Project. 2.2 mile trail project connecting Gaylord Texan to Grapevine Mills Mall. Grapvine, TX	\$500,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1536	GA	Construct sidewalks between Marion Middle School, City Park, and Community Center, Buena Vista	\$300,000
1537	IL	Construct a four lane connection between Rt. 13 and Rt. 45	\$1,000,000
1538	MI	Plymouth, Haggerty Road from Plymouth Rd. to Schoolcraft Rd	\$500,000
1539	TN	Provide streetscape improvements and pavement repair, Greenback, Tennessee	\$250,000
1540	IA	Reconstruction of NE 56th St, eastern Polk Co	\$1,000,000
1541	IL	Relocate Pocket Road for Access to Racehorse Business Park, Alorton	\$500,000
1542	CT	Construct roadway on East Commerce Drive, Oxford, CT	\$500,000
1543	TN	Niota, TN Improve vehicle efficiencies at highway At-Grade Railroad Crossing	\$57,000
1544	FL	Plan and Construct 17th Street connector in the City of Sarasota, FL	\$2,000,000
1545	VT	Reconstruction and widening of U.S. Route 5 for the Town of Hartford	\$1,500,000
1546	MO	Relocate the entrance to the Shaw Nature Reserve that is being altered due to a redesign of the Gray Summit I-44 interchange project	\$500,000
1547	DC	Replace and reconstruct South Capitol Street/Fredrick Douglass Memorial Bridge	\$30,000,000
1548	MI	Complete 13.8 miles of nonmotorized pedestrian Fred Meijer Heartland Trail of 30.1 miles	\$2,000,000
1549	MO	Roadway improvements on U.S. 60 from Willow Springs to the Van Buren Area	\$10,000,000
1550	UT	Construct Parley's Creek Trail	\$5,000,000
1551	ME	Construction of Calais/St. Stephen Border Crossing Project	\$5,000,000
1552	FL	Alleviate congestion at Atlantic Corridor Greenway Network, City of Miami Beach, FL	\$2,000,000
1553	MD	Construction of MD 331 Dover Bridge	\$4,318,000
1554	NY	Improve Traffic Flow on Noel Road between Church and Crossbay Boulevard Including Work Necessary to Demolish and Reconstruct the Firehouse Facility	\$1,000,000
1555	PA	Construct 9th and 10th Street bridges over Norfolk Southern Tracks, Lebanon	\$7,000,000
1556	AS	Drainage mitigation in Malaeloa-Leone village roads	\$1,400,000
1557	CA	Improve I-8 off ramp at Ocotillo to the Imperial Valley College Desert Museum/Regional Traveler Visitor Center, Imperial County	\$1,000,000
1558	CA	Install new grade separation at Rancho Road in Hesperia	\$5,000,000
1559	NY	Bartow Ave Ramp and Reconstruction at the Hutchinson Parkway	\$1,600,000
1560	FL	Airport Access Rd., Gainesville	\$1,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1561	WA	Intersection project at South Access-522 beginning and ending at the UWB-CCC campus to improve access and alleviate congestion	\$3,000,000
1562	NJ	Reconstruction of CR 530 from RT 206 to CR 644. Construct shoulders, travel lanes, center turn lane, drainage improvements & traffic signal	\$10,000,000
1563	NY	Improve SCCC roads, Fallsburg	\$1,500,000
1564	CA	Add turn lane and adaptive traffic control system at intersection of San Tomas Expressway and Hamilton Avenue in Campbell	\$1,600,000
1565	CA	Interchange improvements at Rice Avenue and U.S. Highway 101 in the City of Oxnard	\$3,300,000
1566	GA	Northside Drive Multi Modal Corridor	\$2,000,000
1567	GA	Replace sidewalks, meet ADA guidelines, and install a crosswalk, McRae	\$400,000
1568	TX	Ritchie Road from FM 1695 to US 84, Waco	\$3,000,000
1569	AR	Maumelle Interchange—for third entrance into Maumelle	\$500,000
1570	CT	Construct bike/pedestrian path, Shelton	\$1,000,000
1571	MD	Rehabilitate Roadways Around East Baltimore Life Science Park in Baltimore	\$5,500,000
1572	AL	City of Vestavia Hills Pedestrian Walkway to Cross U.S. 31	\$1,000,000
1573	IN	Replace Samuelson Road Underpass, Portage	\$3,162,890
1574	IL	Construct Commuter Parking Structure in the Central Business District in the vicinity of La Grange Road	\$3,700,000
1575	PA	Design and construct inner loop roadway around Shippensburg Boro	\$500,000
1576	WV	Construct I-73/74 High Priority Corridor, Mingo Co	\$12,000,000
1577	NY	Roadway improvements to Jackson Avenue between Jericho Turnpike and Teibrook Avenue	\$2,250,000
1578	OR	Rogue River Bikeway/Pedestrian Path, Curry County	\$600,000
1579	CA	San Gabriel Blvd Intersection Improvements at Broadway and at Las Tunas, San Gabriel	\$200,000
1580	NY	Improvements to Erie Station Road, Town of Henrietta, Monroe County	\$1,000,000
1581	IA	Sioux City, Iowa Hoeven Corridor—Outer Drive Project	\$1,500,000
1582	KY	Study & rehabilitate the I-471 corridor, Campbell County, Kentucky	\$2,000,000
1583	WA	Construct railroad overpass spanning three mile section of SR501 from MP 0 and MP 3	\$1,000,000
1584	NY	Construction and rehabilitation of North and South Delaware Avenues in the Village of Lindenhurst, NY	\$780,000
1585	NY	Study on extending Rt. 5 to Auburn	\$150,000
1586	AL	Expand US-84 from Andalusia, AL to Enterprise, AL	\$3,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1587	NJ	Susse County, NJ Safety and Operational Improvements on Route 23 in Hardyston Township and Franklin Borough	\$3,800,000
1588	PA	State Street and Mulberry Street Bridge Lighting project, Harrisburg	\$4,000,000
1589	AS	To upgrade, repair and continue construction of Ta'u harbor/ferry terminal facility on Manu'a island	\$1,600,000
1590	CA	Interstate 15 and State Route 79 South Freeway Interchange and Ramp Improvement Project	\$2,000,000
1591	OH	Road Improvements, streetscapes, and pedestrian safety additions in Ashtabula Harbor	\$1,000,000
1592	NY	Town of East Fishkill improvements to Robinson La & Lake Walton Road at NYS Route 376	\$500,000
1593	WI	Construct a bicycle/pedestrian path, Wisconsin Dells	\$2,000,000
1594	NY	Construct improvements in Sight Distance at Road Grade and Trail Crossings in Oneida and Herkimer Counties	\$200,000
1595	NY	Repair Silver Mine Bridge in the Town of Lewisboro	\$150,000
1596	IL	River walk Reconstruction, City of Chicago	\$600,000
1597	AR	Rogers, Arkansas—Construct new interchange on I-540 near the existing Perry Road overpass	\$4,400,000
1598	IN	Design and construct Indiana Ohio River Bridges Project on I-65 and 265	\$20,000,000
1599	RI	Transportation Enhancements at Blackstone Valley Heritage Corridor	\$500,000
1600	TX	Reconstruction of US 79 from FM 1460 to Williamson County Road 195	\$2,000,000
1601	CA	Transportation enhancements to Children's Museum of Los Angeles	\$1,200,000
1602	IN	Construct Shelby County Indiana Shelbyville Parkway	\$500,000
1603	NY	Reconstruct the Niagara Street culvert/bridge which crosses over Two Mile Creek, City of Tonawanda	\$400,000
1604	MA	Reconstruction of Main Street and Lebanon Street in Melrose	\$700,000
1605	OH	Construct the existing IR 70 interchange at US 40, SR 331 west of St. Clairsville	\$11,550,000
1606	GA	Install traffic lights and pedestrian walkways on Highway 441 at MLK, Jr. Boulevard, Dublin	\$500,000
1607	OH	Pike County, OH Fog Road Upgrade	\$1,000,000
1608	CA	Project design, environmental assessment, and roadway construction of Lonestar Road from Alta Road to Enrico Fermi Drive San Diego County	\$500,000
1609	CA	Project Study Reports for I-105 and I-405 Interchanges at Los Angeles International Airport	\$400,000
1610	CA	Reconstruct Whittier Blvd. and improve parkway drainage from Philadelphia Av. to Five Points in Whittier	\$1,700,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1611	NY	Rockland County Railroad Grade Crossings Safety Study	\$1,400,000
1612	TX	San Angelo Ports-to-Plains Route Loop 306 at F.M. 388	\$1,500,000
1613	MN	City of Hutchinson School Road Underpass of TH7 and TH22 Improvements	\$1,000,000
1614	TN	construct and widen SR-33 in Monroe County, TN	\$5,000,000
1615	PA	Construct the realignment of Cool Creek Road in York County, PA	\$1,000,000
1616	NJ	Construct Waterfront Walkway from North Sinatra Drive and 12th St. south to Sinatra Drive in Hoboken	\$2,000,000
1617	TX	Add shoulders to FM 156 from Ponder, Texas to Krum, Texas	\$1,000,000
1618	NJ	Bridge replacement on Section 6V of Route 1 from Ryders Lane to Milltown Road, North Brunswick	\$2,000,000
1619	MN	Construct Two Harbors High School Trail connecting Two Harbors High School to Two Harbors City	\$891,600
1620	SC	Construct I-85 Brockman-McClimon Interchange between Greenville Spartanburg Airport and SC Highway 101 interchanges	\$1,000,000
1621	IA	Fort Madison, IA Construction of US 61 bypass around Fort Madison to create a safer and faster route	\$2,500,000
1622	PA	Germantown Avenue Revitalization with Mt. Airy USA for landscaping, scenic enhancements and pedestrian safety improvements along the heavily traveled thoroughfare	\$2,320,000
1623	NM	I-10 Reconstruction , Las Cruces to Texas State Line	\$3,000,000
1624	TX	IH 820 Widening Project	\$2,000,000
1625	IL	For Naperville Township to fund improvements to Diehl Road between Eola Road and Route 59	\$600,000
1626	KS	Remove and Replace Topeka Blvd. Bridge over the Kansas River	\$6,000,000
1627	VA	Clifton, VA Main Street parking and sidewalk improvements	\$250,000
1628	SC	Replace Milford Road Bridge, Anderson, SC	\$500,000
1629	LA	Improvements to Essen Lane at I-12; and to Perkins Rd.; and to Central Thruway; and to O'Neal Lane; an to Burbank Dr.; and to Essen Park Extension; and for LA408 study	\$30,000,000
1630	GA	Streetscape project for lighting and landscaping on Main Street along Georgia Highway 231, Davisboro	\$300,000
1631	IA	City of Council Bluffs and Pottawattamie county East Beltway Roadway and Connectors Project ..	\$1,000,000
1632	OR	U.S. 199/Laurel Road Intersection	\$2,000,000
1633	CA	Conduct project report study on Old River School Rd—Firestone Blvd intersection reconfiguration	\$500,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1634	FL	Conduct study for Port of Miami Tunnel, Miami, FL	\$2,000,000
1635	NY	Ithaca, Design and construct pedestrian and bicycle path (Cayuga Waterfront Trail)	\$1,200,000
1636	NC	Rails to Trails Project, Elizabeth City	\$640,000
1637	IL	Reconstruct Lakeshore Drive overpass over Lawrence Avenue	\$1,500,000
1638	SC	Replace Murphy Road West Bridge, Anderson, SC	\$235,000
1639	CA	Resurface and construct truck lane at CA Hwy 94 and Interstate 8 interchange, Boulevard	\$3,000,000
1640	CT	Undertake road improvements associated with Coltsville Area Redevelopment, Hartford	\$2,000,000
1641	AZ	Upgrade and Re-opening of Main Street in Yuma	\$1,200,000
1642	NJ	Pedestrian facilities, street lighting and streetscaping improvements in downtown Laurel Springs	\$596,324
1643	MS	Upgrade Blue Cane Road in Tallahatchie County, and roads in Webb and Tutwiler	\$750,000
1644	OH	Upgrade circuitry on vehicle protection device at Sheldon Road rail crossing in Berea	\$140,000
1645	NY	Design and construct Upper Delaware Scenic Byway Visitor Center, Cohecton	\$500,000
1646	NY	Construct sidewalks and curbing on Westchester Avenue in Village of Buchanan	\$275,000
1647	NC	Downtown Redevelopment Project, City of Rocky Mount	\$6,336,000
1648	TX	Construction of divided four lane concrete arterial with drainage improvements—Sandy Lake Road: Denton Tap Rd to North Coppell Road	\$1,000,000
1649	IL	Preconstruction and Construction at IL 120 at Bacon Road and Cedar Lake Road	\$1,365,000
1650	GA	Revitalization project will extend and resurface the Roberta Walking Trail, Roberta	\$500,000
1651	KY	Construct Westbound Access to Mountain Parkway from Exit 18 (KY 1057), Powell County	\$2,900,000
1652	NC	Development of 2 miles of road parallel to I-95 located approximately between the I-95/NC-125 interchange and I-95/US-158 interchange	\$1,500,000
1653	CA	Engineering, right of way and construction of HOV lanes on I-580 in the Livermore Valley, California	\$5,000,000
1654	IL	Construct Streetscape Project, City of Markham	\$500,000
1655	CA	Landscape south side of the 91 fwy at Bellflower Blvd in Bellflower	\$250,000
1656	MA	Southwick and Westfield Rail Trail, Design & Construction	\$5,000,000
1657	VA	Upgrade DOT crossing #467665M to constant warning time devices	\$194,600
1658	TX	Reconstruct and add two lanes to US 287 from the Oklahoma State line to US 54 in Stratford	\$3,000,000
1659	WY	Casper West Belt Loop	\$2,000,000
1660	MN	Munger Trail extension, City of Duluth	\$3,200,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1661	AK	Bogard/Sheldon Extension in Matanuska-Susitna Borough	\$4,000,000
1662	CA	City of Redondo Beach Esplanade Improvement Project	\$1,000,000
1663	MN	Kandiyohi and Meeker Counties Hwy 7 between TH 71 and TH 22	\$2,000,000
1664	NJ	Construction of Rowan Boulevard from US Route 322 to Main Street, Glassboro	\$600,000
1665	CA	Conduct Study of SR 130 Realignment Project, San Joaquin County & Santa Clara County, CA	\$2,000,000
1666	CA	Passons Grade Separation in the City of Pico Rivera	\$3,700,000
1667	MD	Construct South Shore Trail, Anne Arundel County, MD	\$1,000,000
1668	NJ	Realignment of the Routes35/36 intersection in Eatontown	\$2,000,000
1669	IN	Construct Hoosier Heartland Highway in Cass and Carroll County, Indiana	\$2,000,000
1670	MI	Oscoda County, Reconstruction and surfacing of Valley Road from M-33 west to Mapes Road	\$960,000
1671	TX	Reconstruct Precinct Line Road 2-lane bridge as 4-lane bridge and widen Precinct Line Road to 4-lane roadway from SH 10 to Trammel Davis Rd	\$1,000,000
1672	CT	Reconstruct Waterfront Street Corridor, New Haven	\$1,500,000
1673	TN	Improving Vehicle Efficiencies at At-Grade highway-Railroad Crossing in Philadelphia, Tn	\$99,000
1674	TX	Mile 2 W from Mile 12 N to US83, Hidalgo County	\$1,000,000
1675	NY	Reconstruction of West Neck Road from Huntington-Lloyd Harbor boundary to the end of the Village-maintained road	\$3,000,000
1676	GA	Rehabilitate sidewalks and replace street lights, Swainsboro	\$500,000
1677	SC	Replace Murphy Road East Bridge, Anderson, SC	\$265,000
1678	MO	Access improvements and safety and mobility upgrades along US 7 as part of the Highway 7 Corridor Development Plan in Blue Springs	\$5,000,000
1679	OH	Construct Stearns Road Grade Separation, Olmsted Township	\$3,750,000
1680	CA	Implement Grove Avenue Corridor Interstate 10 interchange improvements in Ontario	\$3,000,000
1681	MA	Construct & Replace West Corner Bridge & Culvert, Rte 228, spanning Weir River Estuary & Straits Pond Inlet	\$1,000,000
1682	OK	Complete Reconstruction of the I-35-SH 9 West Interchange	\$4,000,000
1683	NJ	Construct Rte 50 Tuckahoe River Bridge Replacement, Cape May and Atlantic Counties	\$4,000,000
1684	NY	Rt. 12 reconstruction- Town and Village of Greene	\$4,110,000
1685	MN	Becker County CR 143 and CR 124 Improvements	\$960,000
1686	NY	Construct and extend existing pedestrian streetscape areas in Valley Stream	\$1,350,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1687	MI	Construct Interchange at I-675 and M-13 (Washington Avenue). Northbound Exit. Phase I of Construction. City of Saginaw	\$2,300,000
1688	OH	Construct Cleveland Towpath Trail. 6-mile extension towards downtown. Cleveland	\$4,000,000
1689	FL	Construct widening of US 17 to 4 lanes from San Mateo to Volusia County line, Putnam County, Florida	\$16,300,000
1690	MD	Construct Phase 1 of the South Shore Trail in Anne Arundel County from Maryland Route 3 at Millersville Road to I-97 at Waterbury Road	\$1,000,000
1691	MI	Construction of 5 lane concrete pavement with curb, gutter and storm sewer on Van Dyke Ave. from 23 Mile Road to 26 Mile Road, Macomb Co	\$2,079,500
1692	FL	Design and construct replacement for A. Max Brewer Bridge, Titusville	\$10,000,000
1693	NY	Implement ITS system and apparatus to enhance citywide truck route system on Victory Blvd Between Travis Ave and West Shore Expressway Travis Section of SI	\$100,000
1694	MI	Purchase and implementation of various Intelligent Transportation System technologies in the Grand Rapids metro region	\$12,430,000
1695	WI	Recondition USH 45 between New London and Clintonville, Wisconsin (Waupaca County, Wisconsin)	\$2,000,000
1696	CA	Reconstruction of The Strand in the City of Manhattan Beach to improve beach access and accommodate increased pedestrian traffic	\$2,000,000
1697	CA	Construction of new roadway lighting on major transportation corridors in the Northeast San Fernando Valley	\$500,000
1698	MD	Rehabilitate Hanover Street Bridge in Baltimore ...	\$1,500,000
1699	NY	Rehabilitation of Hornbeck Road in the Town of Poughkeepsie	\$426,000
1700	CA	Rehabilitation of Tulare County Farm to Market road system	\$4,000,000
1701	GA	Riverside Drive Streetscape Project, Macon	\$500,000
1702	GA	South Lumpkin Road Trail-Columbus	\$500,000
1703	CA	Implement Northeast San Fernando Valley Road and Safety Improvements	\$200,000
1704	NY	Big Ridge Road : Spencerport Village Line to Gillet Road in the Town of Ogden	\$2,500,000
1705	TX	Build south bound ramp from east bound I-20 to Clark Road at the southern terminus of Spur 408. Duncanville, TX	\$5,000,000
1706	MS	Plan and construct intermodal connector linking I-20 to Hwy 49, Pearl-Richland	\$1,000,000
1707	TN	Reconstruct US 64 from west of Bolivar to the Lawrence County Line in Hardemant, McNairy, Hardin, Wayne Counties	\$5,225,000
1708	PA	Improve safety of Route 145 in Whitehall Township	\$2,225,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1709	GA	Construct Stone Mountain-Lithonia road Bike Lane and Sidewalks, Dekalb County	\$1,000,000
1710	OK	Texanna Road improvements around Lake Eufaula	\$1,000,000
1711	PR	To build an extension of PR-53 between Yabucoa and Maunabo	\$5,000,000
1712	IL	To construct a new intersection of a public road and US Route 50 and a new street	\$550,000
1713	NC	To plan, design and construct the Northwest Corridor -- Western Blvd. Project in Jacksonville, NC	\$1,000,000
1714	CT	Upgrade Mark Twain Drive, Hartford	\$2,000,000
1715	CO	CO I-70 East Multimodal Corridor (Highway Expansion), Denver	\$2,500,000
1716	MS	Upgrade roads in Indianola, Ruleville, Moorehead, Doddsville, Sunflower and Drew, Sunflower County	\$2,000,000
1717	MS	Upgrade roads in North Carrollton (U.S. Hwy 35 and 82) McCain Street, South Street, Love Street, and Colver Street, Carroll County	\$400,000
1718	NJ	Passaic-Bergen intermodal transportation deployment initiative	\$10,000,000
1719	IL	Upgrade roads, The Village of Maywood	\$1,000,000
1720	PA	Upgrade Route 30 Corridor and Airport Access	\$1,000,000
1721	GA	Upgrade sidewalks and lighting, Lyons	\$500,000
1722	CA	State Route 88—Pine Grove Corridor Improvement Project	\$500,000
1723	WA	Tacoma—Lincoln Avenue Grade Separation	\$1,000,000
1724	NY	Improve NY112 from Old Town Road to NY347	\$10,000,000
1725	NJ	Construct I-195 Noise Barrier, Hamilton Twp, Mercer County	\$750,000
1726	AR	Highway 77 Rail Grade Separation	\$1,000,000
1727	WA	Kent, WA Willis Street BNSF Railroad Grade Separation Project	\$500,000
1728	MI	Menominee, Ogden Street Bridge rehabilitation project—replacement of deck, expansion joints, sidewalks, railing and all other joints	\$200,000
1729	VA	Pochantas Trail—development and construction of trail from Bluestone Junction to Pochantas adjacent to abandoned rail line	\$500,000
1730	NY	Suffolk County ITS arterial monitoring and performance measures	\$1,500,000
1731	LA	Conduct study for Highway 25 in Washington Parish	\$500,000
1732	IL	Construction of the 43rd Street Bicycle Pedestrian Bridge over Lake Shore Drive, City of Chicago ...	\$600,000
1733	NY	To design and reconstruct Nassau Avenue, improve sidewalks and include pedestrian amenities in Greenpoint, Brooklyn	\$2,400,000
1734	OH	Upgrade the I-480 and Tiedman Road interchange, Brooklyn	\$500,000
1735	NJ	Interchange improvements and bridge replacement, Route 46, Passaic County	\$5,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1736	PR	Construction of community bridge at Los López Sector, Quebrada Arenas Community	\$500,000
1737	IA	Construction of a Four Lane U.S. Highway 20 between Moville in Woodbury County, through Ida County and Sac County to U.S. 71 at Early, IA	\$9,000,000
1738	AZ	Paving of Navajo Route 9010 -off of I-40 at Houck, AZ (Exit 348) to Pine Springs Day School	\$2,000,000
1739	OH	Red Bank Road Improvements from I-71 to Fair Lane in Eastern Hamilton County, Ohio	\$3,600,000
1740	CA	Construct earthen berm along Esperanza Road from Yorba Linda Blvd. to the west city limits to mitigate noise	\$2,000,000
1741	TX	Construct 6 mainlines from east of Mercury to east of Wallisville	\$2,000,000
1742	NY	Town of Chester Trout Brook road improvements and reconstruction	\$70,000
1743	OR	Upgrade the I-5 Fern Valley Interchange (Exit 24)	\$3,000,000
1744	CA	Construct I-80 Gilman Street interchange improvements in Berkeley	\$1,500,000
1745	NJ	Construct Vineland Boulevard and Sherman Avenue Intersection Improvements, Vineland, Cumberland County	\$1,750,000
1746	WA	Terry's Corner Park and Ride on Camano Island ..	\$1,400,000
1747	OR	Upgrade U.S. 101 and Utility Relocation, Gold Beach	\$200,000
1748	WI	Upgrade USH 41 from DePere to Suamico, Wisconsin (Brown County, Wisconsin)	\$2,500,000
1749	IL	Upgrade Veterans Drive in Pekin Illinois	\$1,000,000
1750	NY	Saugerties, Improve Tistle Road-Old Kings Highway intersection	\$500,000
1751	TX	Design and Construct the Cottonwood Trail pedestrian-bicycle connection	\$1,000,000
1752	NY	Rehabilitation of the Ashford Ave. bridge over I-87 in the Villages of Dobbs Ferry and Ardsley	\$2,600,000
1753	OH	Streetscape completion along US 40 in Bridgeport	\$100,000
1754	SD	Design and construct new Meridian Bridge across the Missouri River at Yankton	\$4,500,000
1755	MD	Upgrade MD 210 from MD 228 to I-495	\$5,000,000
1756	IL	For DuPage County to construct certain segments of Southern DuPage County Regional Trail	\$100,000
1757	IA	US 20 relocated, Webster, Sac and Calhoun Counties, Iowa	\$3,000,000
1758	NJ	Construction of new access roads along Route 42/Blackhorse Pike in Washington Township	\$1,000,000
1759	CA	Highways 152 -156 Intersection improvements, CA	\$1,000,000
1760	AK	Coffinan Cove IFA ferry terminal	\$3,200,000
1761	MA	Acquisition, engineering design, and construction of the Assabet River Rail Trail, Acton, Hudson, Maynard, and Stow	\$2,000,000
1762	MI	Conduct Feasibility Study to Extend I-475 to US 23 in Genesee County	\$800,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1763	TX	Construct a reliever route on US 287 South of Dumas to US 287 North of Dumas	\$3,000,000
1764	TN	construct new exit on I-75 and connect US-11, US-411, and SR-30	\$4,500,000
1765	PA	Design, engineering, ROW acquisition & construction of street improvements, parking, safety enhancements & roadway redesign in Pittston	\$1,750,000
1766	TX	Dowlan Road Improvements for Beaumont, Texas	\$3,456,000
1767	CA	Construct Hwy 101 bicycle-pedestrian project in Marin and Sonoma Counties from north of Atherton Ave to south of Petaluma River bridge	\$500,000
1768	TX	Construct raised median from Loop 224 to Sradley St. in Nacogdoches, TX	\$3,220,000
1769	OH	Construction of bicycle trail extension in Geauga Park District in Chardon, OH	\$500,000
1770	CA	Extension of a regional Class I bikeway from the West City limits to the East City limits along leased railroad right-of-way	\$400,000
1771	AR	For rail grade separations identified by the MPO for the Little Rock/North Little Rock metropolitan area, (which may include: Edison Ave.; Springer Blvd; Hwy 89 Extension; McCain/Fairfax; Salem Road;	\$10,000,000
1772	NY	Court Street & Smith Street Shopping District Enhancements	\$800,000
1773	MA	Hampshire County Bike Paths, Design & Construction	\$5,500,000
1774	NV	Construct I-15 Starr Interchange	\$10,000,000
1775	CA	Construct full-access interchange at SR 120–McKinley Avenue, with the necessary SR120 auxiliary lanes, Manteca, CA	\$4,000,000
1776	CA	Install emergency vehicle preemption equipment along major arterials in the I-880 corridor, Alameda County	\$500,000
1777	OH	Construct a proposed relocation of US 22 and SR 93 from the current IR 70, US 40 west of Zanesville	\$10,000,000
1778	CA	Conduct Study and Construct I 205 Chrisman Road Interchange Project, Tracy, CA	\$1,000,000
1779	IL	Construction of part of a 230 mile corridor extending from I-280at Rock Island to I-270 south of Alton	\$1,700,000
1780	CA	Construction of Campus Parkway from State Route 99 to Yosemite Ave., Merced County	\$500,000
1781	MI	Construction of Superior Road Roundabout, Superior Township	\$750,000
1782	OR	Construction and preliminary engineering of a railroad crossing at the intersection of Havlik Road and Hwy 30, Scappoose	\$200,000
1783	FL	Clark Road Clover Leaf at I95, Jacksonville	\$5,500,000
1784	PA	Construct and widen PA 94 from the Adams and York County line north to Appler Road	\$1,500,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1785	IL	For the reconstruction and realignment of 2 miles of Evergreen Ave. located west of the City of Effingham	\$2,000,000
1786	IN	Improve State Road 332 and Nebo Road Intersection in Delaware County, Indiana	\$2,930,000
1787	LA	LA 18 Widening (Avondale to US 90), Jefferson Parish, Louisiana	\$800,000
1788	WI	Construct Lake Butte des Morts Bridge, US Highway 41, Winnebago County, Wisconsin	\$25,600,000
1789	MA	North Worcester County Bike Paths, Design & Construction	\$5,000,000
1790	TX	Old Reliance Road Overpass at SH6 (Earl Rudder Freeway)—widening project in Brazos Co	\$2,500,000
1791	IA	Phase III of Main St project, Amana	\$1,000,000
1792	MN	Re-align Vadnais Boulevard at interchange of I-694/Highway 49, Ramsey County	\$1,000,000
1793	CA	Reconfigure intersection at Highways 152 and 156 in Santa Clara County	\$10,650,000
1794	KY	Construct Georgetown Northwest Bypass from US 460 West to I-75 North, Scott County	\$3,000,000
1795	AZ	Grand Canyon Greenway Trails	\$1,500,000
1796	NY	Remediate road runoff in vicinity of Peconic Estuary watershed	\$1,000,000
1797	MS	Construct I-55 Interchange at Madison-Ridgeland, Madison County	\$5,000,000
1798	OH	Construction of road improvements from Richmond Road to new Cuyahoga Community College in Warrensville Heights, OH	\$150,000
1799	MI	Construction of the I-696 and Northwestern Highway Interchange Freeway Ramps at Franklin Road in Southfield	\$2,000,000
1800	OH	Construct access improvements to I-680 and internal roadways for Corridor of Opportunity, Mahoning Co	\$2,000,000
1801	NY	Mount Vernon Railroad Cut	\$2,250,000
1802	TX	Reconstruct and add two lanes to IH 27 from Western Street in Amarillo to Loop 335	\$3,000,000
1803	CO	SH83-SH88 Interchange Reconstruction—Arapahoe County, CO	\$4,000,000
1804	NY	Town of Pauling Old Rt 55	\$500,000
1805	IL	Upgrade Curtis Road in conjunction with state plan for I-57 interchange; from Duncan Rd to 1st Street in Champaign	\$7,000,000
1806	MO	Upgrade Rt. 249 [Range Line] from Rt. 171 to I-44	\$10,000,000
1807	VA	Bland County Trails and Visitor Center—establishment of multi-use trail network, associated facilities and begin work on visitors center	\$1,000,000
1808	NH	Upgrade Sewalls Falls Road bridge over Merrimack River in Concord	\$1,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1809	IL	Perform Old Orchard Road Expansion and improvement project between harms road and US 41, Cook County	\$1,000,000
1810	MN	Design engineering and ROW acquisition to reconstruct TH 95 bridge, North Branch	\$1,000,000
1811	NY	Tappan Zee Bridge to I287 Transportation Corridor	\$1,000,000
1812	CA	Upgrade and reconstruct the I-80/I-680/SR12 Interchange, Solano County	\$21,000,000
1813	MD	US 219 Oakland Bypass	\$1,000,000
1814	NC	US 221 widening from US 421 to Jefferson, NC	\$2,000,000
1815	IL	Complete 80,000lb truck route between CH2 (Burma Rd) and IL Rte 130 in Cumberland County	\$3,000,000
1816	CA	Improvement of intersection at Burbank Blvd. and Hayvenhurst Ave	\$400,000
1817	OH	Construct pedestrian bridge over I77; tunnel underneath railroad; bridge over Tuscarawas River along OH and Erie Canal in Tuscarawas County	\$2,000,000
1818	MN	Lake Street Access to I-35W, Minneapolis	\$6,000,000
1819	WI	Upgrade USH 2 in Ashland County	\$4,000,000
1820	OR	Construct an urban arterial street between NE Weidler and NE Washington on NE 102nd, Portland	\$3,700,000
1821	CA	Construct an Interchange on Highway 70 at Georgia Pacific Road in Oroville	\$2,000,000
1822	AZ	Construct or Modify Railroad Grade Separations on 6th St. and 22nd St. and Reconstruct Speedway Blvd. Underpass in Tucson	\$13,300,000
1823	FL	Construct North Ormond Beach Business Park Interchange at I-95 between U.S. 1 and SR 40, Volusia County	\$1,100,000
1824	MN	Environmental review for improvement along the entire US 10 corridor	\$1,300,000
1825	NY	Construct visitor center, access road, and parking at Sam's Point Preserve, Ellenville	\$750,000
1826	OH	Installation of road improvements on Old State Road-SR 608 in Middlefield, OH	\$100,000
1827	WA	To replace BNSF trestle, Sammamish River bridge and reconstruct SR202/127th Pl NE and SR202/180th Ave NE intersections	\$2,000,000
1828	PA	Completion of beltway interchanges along Business Route 60 in Moon Township, Allegheny County	\$1,000,000
1829	TX	US 290 Improvements in Austin, TX	\$3,000,000
1830	CA	City of Madera, CA Improve SR99-SR145 Interchange	\$2,000,000
1831	AL	Construct a new interchange on I-65 at Cullman, AL County Road 222	\$1,000,000
1832	VA	Improve transportation projects for Jamestown 2007	\$3,750,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1833	MI	Design and construction of West Michigan Regional Trail Network connector to link two trail systems together and to Grand Rapids	\$3,000,000
1834	TN	Plan and construct a bicycle and pedestrian trail including enhancements, Murfreesboro	\$9,000,000
1835	AZ	Replacement of Safford Bridge which crosses the Gila River directly north of Safford, AZ on North 8th Avenue	\$3,500,000
1836	TX	Design & construct streetscape improvements to Old Spanish Trail—SH 288 to Griggs, Griggs to Mykawa	\$1,000,000
1837	TN	For each rail-highway crossing: Improve circuitry on vehicle protection device installed at crossing in Knoxville, TN	\$57,000
1838	OH	Reconstruct Broadway Ave in Lorain	\$750,000
1839	OH	Road Widening and related improvements to SR 82 in Macedonia OH	\$3,410,000
1840	MN	Reconstruct CSAH 4 and CSAH 5 (Forest Highway 11) between CSAH 15 and TH 61, Silver Bay	\$1,740,000
1841	CA	Ramona Avenue Grade Separation, Montclair, California	\$2,000,000
1842	MN	Roadway improvements, City of Federal Dam	\$1,000,000
1843	VA	Rocky Knob Heritage Center— planning, design, site acquisition and construction for trail system and visitors center on Blue Ridge Parkway	\$1,500,000
1844	FL	Design and construct capacity and safety improvements for State Road 426-County Road 419 in Oviedo from Pine St to west of Lockwood Blvd ...	\$2,000,000
1845	FL	Coordinated Regional Transportation Study of US 98 from Pensacola Bay Bridge, Escambia County to Hathaway Bridge, Walton County, Florida	\$1,500,000
1846	PA	Paving and reconstruction in the townships: North and South Eldorado, North Altoona, Fairview, Juniata, East End, Pleasant Valley, South Tracks, Lyswen-Altoona, PA	\$2,000,000
1847	AK	Construct access road connection from Seward Highway to rail and airport facilities in Seward	\$3,000,000
1848	AZ	Realign Davis Road from State Route 80 to State Route 191	\$3,300,000
1849	PA	Reesdale Street roadway reconfiguration to allow HOV access to new parking facility	\$1,000,000
1850	WA	SR 538 (College Way) and North 26th St. Signal in Mount Vernon	\$175,000
1851	TX	Acquisition of right of way and environmental preservation from I-45 to U.S. 59 for Grand Parkway	\$12,000,000
1852	ID	Reconstruct Grangemont Road (Idaho Forest Highway 67) from Orofino to Milepost 9.3	\$2,000,000
1853	VA	Expansion of South Airport Connector Road (Clarkson Road to Charles City)	\$7,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1854	NY	Design and Construction of bicycle and pedestrian facilities in the area of the Roosevelt Avenue Bridge	\$480,000
1855	NC	Construct Endor Iron Furnace Greenway enhancements from Deep River to Sanford	\$1,000,000
1856	CO	Improve and widen State Highway 44 from Colorado Boulevard to State Highway 2	\$4,000,000
1857	FL	Fund improvement of US 301 corridor in Sumter and Marion Counties	\$2,000,000
1858	TN	complete construction and landscaping of visitor center on Cherohala Skyway in Monroe County, TN	\$100,000
1859	OR	Construction of the East Burnside Street improvements, Portland	\$3,700,000
1860	AL	Expand to 4 lanes US Highway 278 from Sulligent to Guin	\$1,000,000
1861	IL	Francis Cabrini/W. Green Homes CHA Street Construction, City of Chicago	\$600,000
1862	NY	Plan and construct bicycle path, esplanades and ferry landing along New York Bay in Sunset Park, Brooklyn	\$10,000,000
1863	PA	Construct Dubois Regional Medical Center Access Road	\$600,000
1864	NY	To design and construct safe route to school projects in Brooklyn, Queens and Manhattan, NY	\$550,000
1865	PA	US 30 corridor improvements from PA 896 to PA 897. Connects PA 41	\$3,000,000
1866	MD	US 40 Alternate, Middletown Bypass	\$5,000,000
1867	CA	Construction of a smart crosswalk system at the intersection of Topanga Canyon Blvd. and Gault St	\$50,000
1868	WI	Expand USH 51 & STH 29 in Marathon County	\$8,000,000
1869	PA	Construct 2 flyover ramps and S Linden St ext for access to industrial sites in the cities of McKeesport and Duquesne	\$7,000,000
1870	NY	Construct 4-lane bypass roadway along US Route 6 in Lake Mohegan parallel to Strawberry Road in Yorktown ending in Town of Cortlandt Manor	\$130,000
1871	NY	Construct pedestrian walkway along Route 9A in Hudson River Park, New York City	\$5,000,000
1872	IN	Design engineering, right-of-way acquisition, and construction for the Grant County Economic Corridor	\$2,000,000
1873	MN	City of Marshall TH 23 4-Lane Extension	\$3,288,000
1874	IL	Henry Horner Homes CHA Street Construction, City of Chicago	\$1,000,000
1875	TN	Improve circuitry on vehicle protection device installed at highway-RR crossing in Knoxville, TN	\$158,000
1876	NJ	Construct Intersection at Route 46 and Little Ferry Circle in Little Ferry	\$1,500,000
1877	AR	Improve State Highway 88 (Higdon Ferry Road) in Hot Springs	\$4,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1878	MD	Improve US 1, Washington Boulevard Corridor in Howard County	\$1,000,000
1879	NY	Downtown Flushing Traffic and Pedestrian Improvements	\$1,000,000
1880	FL	Arlington Expressway Access Rd., Jacksonville	\$1,500,000
1881	CO	Construct arterial on W side of Montrose to ease traffic congestion on SH 550 between Grand Avenue, N/S of city	\$7,500,000
1882	CO	North I-25: Denver to Fort Collins Colorado	\$8,000,000
1883	CA	Planning for Orange Line Mag Lev from downtown Los Angeles to central Orange County	\$350,000
1884	NJ	Rahway Streetscape Replacement Project	\$500,000
1885	CT	Reconstruct I-95/I-91 interchange and construct pedestrian walkway, New Haven	\$2,000,000
1886	VA	Blue Ridge Music Center—install lighting/steps, upgrade existing trail system and equip interpretative center with visitor information	\$1,500,000
1887	VA	Ceres Recreation Trail and Center—design and construct pedestrian/bicycle trail in community of Ceres and establish trail center	\$150,000
1888	ME	Construction of trails within the Eastern Trail Management District	\$1,000,000
1889	GA	1-75 interchanges from north of Tifton to Turner County line	\$1,000,000
1890	GA	City of Savannah, Construct bike and pedestrian paths along Heritage Rail	\$200,000
1891	FL	Implementation of the Advanced Traffic Management System, Boca Raton, FL	\$2,000,000
1892	TX	Construct reliever route on US 287 South of Stratford to US 287 North of Stratford	\$3,000,000
1893	WI	Construct HSH 151 between CTH D and STH 175, Fond du Lac County, WI	\$3,000,000
1894	OH	Construct transportation enhancement projects, Toledo	\$10,500,000
1895	TX	Construct grade separation at US59 and SH99. Replace the proposed interim cloverleaf ramps at the intersection	\$5,000,000
1896	MS	Gateways Transportation Enhancement Project, Hancock County	\$250,000
1897	NY	Install Improvements for Pedestrian Safety in the vicinity of IS 194	\$250,000
1898	OK	Improvements to SH412P at I-44 Interchange	\$4,500,000
1899	FL	Acquire right-of-way and construct East-West Connector from SR 37 to SR 563 in Lakeland, FL ..	\$3,000,000
1900	WA	Design Valley Mall Blvd for Main St to I-82 and two I-82 interchanges at Mileposts 36 and 38 in Union Gap, WA	\$6,400,000
1901	WA	Extension of Waaga Way west to Old Frontier Rd and construction of a ramp from SR3 to SR303	\$500,000
1902	ME	Plan and construct highway access between US Route 161 and US Route 1 in Madawaska	\$1,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1903	CA	Randolph St improvements between Wilmington Ave and Fishburn Ave in Huntington Park	\$1,200,000
1904	CA	Reconstruct Azusa Ave and San Gabriel Ave for two-way traffic in Azusa	\$2,500,000
1905	KS	Construction of a 1.5 mile alternate truck route in Downs, Kansas	\$500,000
1906	AL	Pedestrian Improvements for Columbiana, AL	\$100,000
1907	MN	Reconstruct CSAH 91 from the D.M. and I.R. Railroad crossing at 8th Street in Duluth to CSAH 56, St Louis County	\$5,000,000
1908	NY	Construct Wayne County, NY rails to trails initiative	\$345,000
1909	MA	Design and construct signal crossing and other safety improvements to Bicycle/ Pedestrian Path	\$750,000
1910	MI	Construction of Nonmotorized Pathway, City of Rockwood	\$300,000
1911	WA	Purchase of scenic easement at I-90 and Highway 18	\$600,000
1912	PA	Reconstruct the SR 33, 512 interchange in the Borough of Wind Gap	\$2,500,000
1913	NY	Access improvements for terminal located on 12th Ave between W. 44th and W. 54th St in Manhattan	\$4,000,000
1914	IL	Completion of the Grand Illinois Trail, Cook County	\$1,292,500
1915	CA	Construct and improve medians and drainage on Imperial Highway from west border to east border of city in La Mirada	\$1,700,000
1916	CT	Construct Pomfret Pedestrian Bridge	\$120,000
1917	NV	Construct Laughlin Bullhead City Bridge	\$2,000,000
1918	PA	Design, engineering, ROW acquisition, & construction of the widening of Pennsylvania Rt. 443 Corridor in Carbon County	\$1,000,000
1919	NY	Palisades Interstate Parkway Mitigation Measures for New Square	\$600,000
1920	CA	Reconstruct and widen Del Amo Blvd to four lanes between Normandie Ave and New Hampshire Ave, Los Angeles County	\$3,000,000
1921	MN	Reconstruct Unorganized Township Road 488 from CSAH 138, Koochiching County	\$1,025,000
1922	NY	Reconstruction of Empire Boulevard	\$6,400,000
1923	PA	Reconstruction of PA 309 from Greenwood Avenue to Welsh Road	\$2,500,000
1924	TN	Construction of I-69 in Obion, Dyer, Lauderdale & Tipton Counties	\$14,125,000
1925	IL	Design, land acquisition, and construction of South Main St (IL 2) Corridor from Beltline Rd to Cedar Street in Rockford, IL	\$2,000,000
1926	OH	Grading, paving, roads for the transfer of rail to truck for the intermodal facility at Rickenbacker Airport	\$12,500,000
1927	MA	Reconstruction of Pleasant Street, Watertown	\$2,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1928	MN	Lake Wobegon Trail corridor from Sauk Centre to the Stearns County line	\$352,000
1929	RI	Replace Sakonnet Bridge	\$2,000,000
1930	CA	Conduct study and construct CA State Route 239 from State Route 4 in Brentwood area to I-205 in Tracy area	\$5,000,000
1931	MA	Geometric improvements, safety enhancements and signal upgrades at Rt. 28 & Rt.106, intersection West Bridgewater	\$1,500,000
1932	WA	Fife—Widen 70th Ave. East and Valley Ave. East	\$1,000,000
1933	CA	Construct two right hand turn for Byzantine Latino Quarter transit plazas at Normandie and Pico, and Hoover and Pico, Los Angeles	\$400,000
1934	WA	I-90 Two-Way Transit-HOV Project	\$4,000,000
1935	AL	Construct Talladega Mountains Natural Resource Center -an educational center and hub for hikers, bicyclists, and automobiles	\$500,000
1936	MD	Gaithersburg, MD Extension of Teachers Way-Older Towne Gaithersburg Revitalization	\$1,400,000
1937	IL	Intersection Reconstruction and Bridge Rehabilitation at IL 60 and Peterson Road	\$2,500,000
1938	AK	Planning, design, and EIS of Bradfield Canal Road	\$2,300,000
1939	TX	Reconstruct Clinton Dr. from Federal Rd. to N. Wayside Dr	\$14,000,000
1940	GA	Pave portions of CR 345, CR 44, and CR 45, Hancock County	\$370,000
1941	NY	Deer Avoidance System, to deter deer from milepost marker 494.5, Ripley, PA, to 304.2., Weedsport, NY along I-90	\$250,000
1942	CA	El Camino Real Grand Blvd Initiative in San Mateo County	\$3,500,000
1943	CA	Construct Guadalupe River Trail from I-880 to Highway 237 in Santa Clara County	\$7,000,000
1944	TN	Cocke County, Tennessee SR-32 reconstruction	\$500,000
1945	IL	Construct I-80, Ridgeland Ave. Improvements, Tinley Park	\$1,000,000
1946	KY	Construct Pedestrian Mall and Streetscape Improvements, Wilmore	\$3,905,000
1947	PA	PA 23 corridor improvements from US 30 to US 322	\$2,450,000
1948	NJ	Replacement and realignment of Amwell Road Bridge over Neshanic River	\$555,000
1949	FL	City of Wilton Manors Powerline Road Streetscape Enhancement Project	\$375,000
1950	TX	Construct SH 199 (Henderson St.) through the Trinity Uptown Project between the West Fork and Clear Fork of the Trinity River in Fort Worth	\$7,000,000
1951	IN	Construction of multi-use paths, Town of Fishers, Indiana	\$250,000
1952	OH	Construct White Pond Dr. project in Akron	\$1,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1953	MN	Design and right of way acquisition for I-35E-CSAH 14 Main Street Interchange, city of Lino Lakes, Minnesota	\$1,000,000
1954	OR	Expand storage facilities in Eugene to support transportation enhancement activities throughout the state	\$2,500,000
1955	CA	Improvements to US-101 ramps between Winnetka Ave. and Van Nuys Blvd	\$400,000
1956	IN	Acquire right of way for and construct University Parkway from Upper Mt. Vernon Road to SR 66	\$3,000,000
1957	CA	Pine Avenue extension from Route 71 to Euclid Avenue in the City of Chino, California	\$8,500,000
1958	MO	Confluence Greenway Land Acquisition for Riverfront Trail development in St. Louis	\$700,000
1959	TN	Retrofit noise abatement walls in Davidson County	\$2,500,000
1960	MA	Road Improvements between Museum Road & Forsyth Way	\$4,000,000
1961	MI	Commerce, Haggerty Road from 14 Mile to Richardson	\$1,500,000
1962	WI	Expand STH 23, County Highway OJ to US Highway 41, WI	\$15,000,000
1963	FL	Construct interchange at I-95 and Matanzas Woods Parkway, Flagler County	\$1,000,000
1964	IL	Miller Road Widening and Improvement, McHenry	\$7,955,000
1965	NC	Construct Neuse River Trail in Johnston County ...	\$2,000,000
1966	TX	Construct landscaping and other pedestrian amenities in segments of the Old Spanish Trail and Griggs Road rights-of-way	\$2,000,000
1967	NY	Construction of and improvements to Union Road and Walden Avenue in Cheektowaga	\$1,000,000
1968	LA	Construction of West Covington Bypass-LA 21 Widening	\$4,000,000
1969	MS	Construct Byrd Parkway Extension, Petal	\$1,000,000
1970	NY	Intermodal transportation improvements in Coney Island	\$3,300,000
1971	MN	Construct one mile of new roadway and a bridge crossing the DM&IR railroad tracks, and construct connector between CSAH 14 and CSAH 284, Proctor	\$3,280,000
1972	NH	Construct Park and Ride, Exit 5 on I-93—Londonderry, NH	\$2,000,000
1973	PA	Design, engineering, ROW acquisition & construction of streetscapping enhancements, paving, lighting, safety improvements, parking & roadway redesign in Exeter Borough, Luzerne County	\$200,000
1974	PA	Extension of River Road in Reading, PA to provide access to major industrial and brownfields sites	\$1,500,000
1975	AK	Point MacKenzie in Matanuska-Susitna Borough plan and design road access	\$1,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1976	TX	Repair 4.35 miles of Lake Ridge Parkway. Widen roadway along with 2 bridges from 4 lanes to 6 across Joe Poole Lake in Grand Prairie, TX	\$6,000,000
1977	IL	Robert Taylor Homes CHA Street Construction, City of Chicago	\$550,000
1978	OR	Rockwood Town Center for Stark Street from 190th to 197th for pedestrian, bicycle and transit facilities and safety mitigation	\$1,750,000
1979	PA	Route 89 Curve Realignment one mile north of Titusville on Route 89	\$300,000
1980	FL	Sand Lake Road Improvements between Presidents Drive and I-4	\$6,000,000
1981	MI	Sault Ste. Marie, Reconstruct East Spruce Street with drainage, curb, gutter, pavement, traffic control devices	\$950,000
1982	MI	Study and construct I-96/US31-Sternberg Road area improvements	\$6,000,000
1983	PA	Provide access to HOV ramp from Reedsdale Street with traffic signals, pavement markings, lane control and fast acting gates	\$2,000,000
1984	IL	The extension of MacArthur Blvd. from Wabash to Iron Bridge Road. Springfield	\$1,500,000
1985	IL	Construct Cedar Creek Linear Park Trail, Quincy	\$500,000
1986	IN	Conduct study for US50 Corridor Improvements, Dearborn County Indiana	\$300,000
1987	IL	Design, land acquisition, and construct West State St (US Business 20) from Meridan Rd to Rockton Ave in Rockford, IL	\$2,000,000
1988	CA	The Foothill South Project, construct 16 miles of a six-lane limited access highway system	\$10,000,000
1989	MI	Construct Road Improvements to Miller Rd. from I-75 to Linden Rd. Flint Township	\$3,000,000
1990	CA	State Route 99 improvements at Sheldon Road	\$4,000,000
1991	KY	The Kentucky Multi-Highway Preservation Project	\$1,600,000
1992	NY	Town of Warwick, NY. Bridge replacement on Buttermilk Falls Rd	\$175,000
1993	TN	Improve existing two lane highway to a four lane facility along the US-412 Corridor west of Natchez Trace to US-43 at Mt. Pleasant	\$5,500,000
1994	NY	Town of Warwick, NY East Shore Road reconstruction	\$800,000
1995	FL	Traffic Reconfiguration of SR 934 and US 1 Route, Miami	\$1,000,000
1996	PA	For design, engineering, ROW acquisition, and construction of the third phase of the Marshalls Creek Bypass Project in Monroe County, Pennsylvania	\$300,000
1997	MI	Construct North Central Muskegon County Corridor Improvements at US31 and Russell Road ..	\$2,300,000
1998	OH	Reconstruct I-75/I-475 Interchange, Toledo	\$3,000,000
1999	NY	College Point 20th Avenue Streetscapes Improvements Project in Queens	\$700,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2000	OH	Construct a 4 lane limited access road to link Newcomerstown and Cadiz	\$750,000
2001	CO	Construct trail to extend the Pequonnock Valley rail-trail through Trumbull and into Bridgeport, CT	\$500,000
2002	MS	Plan and Construct Star Landing Corridor from US 78 to US 61	\$2,000,000
2003	TX	I Road Between Nolana Loop and FM 495 in Hidalgo County	\$1,900,000
2004	NC	North Carolina. Add passing lanes and safety improvements to US Hwy. 64 in Transylvania County	\$2,000,000
2005	TN	improve streetscape and pavement repair, Blount County, TN	\$300,000
2006	CT	Reconstruction of State Route 111 from Purdy Hill Road to Fan Hill Road, Monroe, CT	\$1,500,000
2007	IL	Resurface Trumbull Ave. and Homan Ave., Evergreen Park	\$400,000
2008	GA	HWY 78 Corridor Improvement Gwinnett County	\$500,000
2009	TX	Construct Southwest Bypass in Georgetown, Texas, between SH29 and Ranch Road 2243	\$4,000,000
2010	MO	To improve U.S. 54 to a four lane highway from the Osage River to MO Route KK	\$1,000,000
2011	MS	Upgrade roads in Mayersville (U.S. Hwy 14 and 1), Issaquena County	\$200,000
2012	MA	Gainsborough St & St. Botolph St. Improvements ..	\$750,000
2013	IN	Construct US 31 Kokomo Corridor Project for Kokomo Howard County, Indiana	\$1,000,000
2014	OH	Construction of Tri-State Outer Belt in Lawrence County	\$2,000,000
2015	PA	Completion of I-79-Kirwin Heights Interchange and construction of retaining walls, bridge and new ramps	\$2,000,000
2016	OH	Construction of the Carroll Area Interchange in Fairfield County	\$3,000,000
2017	CA	Construct the Silicon Valley Transportation Incident Management Center in San Jose	\$2,500,000
2018	CA	Design and Construction Camino Tassajara Crown Canyon to East Town Project, Danville, CA	\$1,000,000
2019	NY	Dutchess County, Replace County Bridge BIN 3343110 over Fishkill Creek, Philips Road, Town of East Fishkill	\$400,000
2020	WI	North 28th Street Phase 2 roadway safety improvements from Weeks Avenue to Hill Avenue in Superior	\$1,280,000
2021	NC	Upgrade US 74 in Columbus County	\$7,000,000
2022	MS	Upgrade US 78 to Interstated Standards from the MS-TN state line to the MS-AL state line	\$4,000,000
2023	IN	Improve Bailie Street, Kentland	\$320,000
2024	CA	Realignment of La Brea Avenue to reduce congestion	\$3,640,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2025	IL	Resurface Elston Avenue from Milwaukee to Pulaski, Chicago	\$2,000,000
2026	TN	Sullivan, Washington Counties, Tennessee SR-75 widening	\$2,000,000
2027	GA	US 17/SR 404 Spur, Back River bridge replacement, Savannah	\$4,000,000
2028	MS	US 98 access improvements & new I-59 interchange, Lamar County	\$4,000,000
2029	VA	Construct South Airport Connector, Richmond International Airport	\$500,000
2030	NY	City of Peeskill, NY Street Resurfacing Program. Riverview Avenue	\$130,000
2031	GA	SR 400 at SR 120 Old Milton Parkway intersection improvement Fulton County Georgia	\$1,000,000
2032	MA	East Boston Haul Road Construction	\$6,000,000
2033	NY	Town of Goshen Orzeck Road reconstruction	\$400,000
2034	VA	Revitalize Main Street in Dumfries	\$725,000
2035	FL	Replace Platt Street Bridge	\$3,000,000
2036	FL	Access Rd. Streetscaping, Sanford Airport	\$500,000
2037	NY	Rockland County and City of Yonkers to Lower-Manhattan Ferry Boat project	\$1,000,000
2038	SC	Complete construction of Palmetto Parkway (I-520) Extension (Phase II) to I-20	\$6,000,000
2039	NM	US 62-180 Reconstruction, Texas State Line to Carlsbad	\$5,000,000
2040	IL	US Rt 30 between Williams Street and IL Rt 43 for signals, turn & or deceleration lanes at 80th Ave, Wolf Rd, Lincoln Way HS and Locust St ...	\$6,000,000
2041	OH	Construct Orchard Lane to Factory Road Connector, Greene County	\$500,000
2042	TX	Construction of vessel impact protection system for TXDOT	\$500,000
2043	NC	Design and construction of the Airport Area Roadway Network, High Point, North Carolina	\$5,000,000
2044	VA	Repair Colorado Street bridge in Salem, Virginia ..	\$1,500,000
2045	CA	Project to evaluate air quality and congestion mitigation benefits of a Hybrid Utility Vehicle in Santa Barbara County	\$100,000
2046	PA	Mill Street improvements, Borough of Lansdale	\$900,000
2047	MN	Construction of County State Aid Highway 21, Scott County, MN	\$3,200,000
2048	PA	Safety improvement to Chesnuts Turn-SR 475, Fulton County, Pa	\$2,600,000
2049	TX	Two direct connectors in Houston, Texas between IH 10 and SH 99, The Grand Parkway	\$5,000,000
2050	MO	Upgrade of Rt. 71 from Pineville to Arkansas State Line	\$15,000,000
2051	CA	Improve interstates and roads part of the Inland Empire Goods Movement Gateway project in and around the former Norton Air Force Base	\$25,000,000
2052	IL	Preconstruction activities for Sangamon Valley Bicycle Trail (IL)	\$500,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2053	MI	St. Clair County Parks is working with 13 local units to develop the 54-mile Bridge-to-Bay trail	\$500,000
2054	NJ	New Jersey Underground Railroad for preservation, enhancement and promotion of sites in New Jersey	\$320,000
2055	CA	Construction of an interchange at Lammers Road and I-205, Tracy, CA	\$1,000,000
2056	MN	Right of way acquisition for St. Cloud Metro Area Project Development Studies	\$3,000,000
2057	NY	Improve CR39 from NY27 to NY27A, Suffolk County	\$3,000,000
2058	PA	Street improvements, Borough of Ambler	\$650,000
2059	KY	Reconstruction of KY61 from Greensburg in Green County to Columbia in Adair County	\$1,000,000
2060	TX	Construct Loop 12-IH 35E and SH 183 west extension to MacArthur, Irving, Texas	\$1,000,000
2061	NC	To plan, design, and construct the segment of Berkeley Blvd. from Royal Avenue to Hew Hope Rd (SR 1003) in Goldsboro, NC	\$1,000,000
2062	OH	Upgrade Manchester Rd. in Akron	\$4,000,000
2063	IL	St. Charles Road, The Village of Bellwood	\$1,000,000
2064	TN	Engineer, design & construction of connector rd from I-75 interchange across Enterprise South Industrial Park to Hwy 58 in Hamilton County	\$9,000,000
2065	TX	Construct 4 lane divided roadway along SH 71 from the Perdernalles River to Bee Creek	\$1,000,000
2066	CT	I-84 Danbury Exits 1-11 Upgrade Interchanges	\$1,500,000
2067	CA	Complete the engineering design and acquire the right-of-way needed for the Arch-Sperry project in San Joaquin County	\$5,000,000
2068	UT	Increase lane capacity on bridge over Virgin River on Washington Fields Road in Washington	\$3,000,000
2069	NY	Installation of Utica Traffic Signal System	\$3,000,000
2070	NC	To construct an interchange at an existing grade separation at SR 1602 (Old Stantonsburg Rd.) and U.S. 264 Bypass in Wilson County, NC	\$4,000,000
2071	WA	US12 Burbank to Walla Walla: Construct new four lane highway for portion of US 12	\$3,300,000
2072	TX	Construct direct connectors on US 59 Intersection of US 59, Business 59 and US 77 (previously Loop 463)	\$1,500,000
2073	OH	Structural improvements to two bridges over the Zimber Ditch between 38th St. and Whipple Ave. in Canton, Ohio	\$500,000
2074	OK	US-281, Widen US-281 from the new US-281 Spur North to Geary Canadian County, OK	\$1,000,000
2075	MI	City of Negaunee, Croix Street reconstruction—Streetscape and resurfacing from US 41 to Maas Street	\$1,125,000
2076	KS	Construct I-35 and Lone Elm Road interchange and widen I-35 from 51st St. to 59th St., Olathe	\$5,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2077	MI	Integrated highway realignment and grade separations at Port Huron, MI to eliminate road blockages from NAFTA rail traffic	\$500,000
2078	OK	US-60, Widen US-60 between Bartlesville and Pawhuska, Osage County, OK	\$3,000,000
2079	WA	Construct an off-ramp from I-5 to the intersection of Alderwood Mall Blvd and Alderwood Mall Pkwy	\$500,000
2080	CA	Reduce congestion and boost economies through safer access to the coast by realigning Hwy 299 between Trinity and Shasta Counties	\$5,000,000
2081	IL	Pre-construction and construction activities on US 45/LaGrange Road from 131st Street to 179th Street	\$1,000,000
2082	AR	Van Buren, Arkansas—Widen and reconstruct Rena Road	\$3,000,000
2083	GA	Construction of infrastructure for inter-parcel access, median upgrades, lighting, and beautification along Highway 78 corridor	\$6,500,000
2084	CA	Construct Alviso Bay Trail from Gold Street in historic Alviso to San Tomas Aquino Creek in San Jose	\$1,000,000
2085	MS	Construct bicycle and trolley path, Hattiesburg	\$850,000
2086	WI	Construct a bike and pedestrian bridge across STH 100 at the 1800 block of S. 108th Street, West Allis	\$300,000
2087	IL	Increasing the height on the IL Rt. 82 Railroad Underpass in Geneseo, IL	\$3,000,000
2088	NC	US-70 Goldsboro Bypass	\$1,000,000
2089	CA	Vasco Road Safety Improvements, Contra Costa Transportation Authority and the County of Alameda Public Works, California	\$1,000,000
2090	NY	Downtown Flushing Multi-Modal Connection Project, Queens	\$1,100,000
2091	MD	Construct Safety and Operations Improvements at MLK Jr. Blvd. and W. Baltimore Street in Baltimore	\$1,700,000
2092	NY	Rehabilitate Riis Park Boardwalk	\$300,000
2093	TX	Construct 25 mile stretch of the 177-mile loop, between IH-45 south and SH-288	\$11,500,000
2094	UT	Construction of Midvalley Highway, Tooele County, Utah	\$1,000,000
2095	WA	Improve Willapa Hills bicycle and pedestrian trail between Rainbow Falls State Park and Adna	\$200,000
2096	PA	Design and construct interchange and related improvements at I 83 Exit 18	\$6,000,000
2097	VA	Northern Virginia Potomac Heritage National Scenic Trail	\$1,000,000
2098	NC	Construct new traffic path to receive and dispatch trucks from US 74, US 76, US 421, and US 17S	\$3,000,000
2099	OK	Construction of Midwest City Pedestrian Walkway	\$1,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2100	TX	Construct parallel bridge for SH 35 over Capano Bay	\$1,000,000
2101	GA	Construct access roads on Airport Loop road in Hapeville	\$2,000,000
2102	TN	Construct 2nd Creek Greenway, Knoxville, Tennessee	\$685,700
2103	NE	Design, right-of-way and construction for the Louisville Bypass, Nebraska	\$1,000,000
2104	HI	Construct Honoapiilani Highway Realignment	\$3,000,000
2105	TN	Hamblen County, Tennessee US25E interchange improvements	\$1,000,000
2106	IL	Construction of a new bicycle-pedestrian bridge in Wayne, IL	\$1,200,000
2107	PA	David Laurence Convention Center Phase IV-reconstruction of roadways assoc. with HQ hotel project	\$1,200,000
2108	CO	I-70 and SH58 Interchange: Reconstruction of existing ramps, building of missing ramps and ROW acquisition	\$4,000,000
2109	OH	Reconstruct U.S. Route 6 (Lake Road). Rocky River	\$2,000,000
2110	WA	Construct .6 mile span over I-5 in Thurston County to connect Chehalis Western Trail	\$4,300,000
2111	IL	Extend Frank Scott Parkway East Road to Scott AFB, St. Clair County	\$2,800,000
2112	OH	Reconfigure I-480 and Transportation Blvd. Interchange, Garfield Heights	\$750,000
2113	NY	Rehabilitation of Route 100 from Virginia Road to Westchester Community College	\$1,100,000
2114	TN	Restoration of historic L&N Depot, McMinn County, Tennessee	\$20,000
2115	SD	Resurface 10 miles of US18 from Okreek to Carter on the Rosebud Indian Reservation	\$2,300,000
2116	CA	Route 198 Expansion, from SR 99 to SR43	\$3,000,000
2117	WA	SR 543 Interstate 5 to International Boundary Enhancement in Blaine	\$2,500,000
2118	MD	Rockville, MD Construction of Maryland Avenue and Market Street Intermodal Access Project	\$4,000,000
2119	MN	US Highway 212 expansion from Carver Cnty Rd 147 to Cologne and from Cologne to Norwood Young America	\$1,000,000
2120	VA	Vienna, VA Maple Avenue improvement project	\$1,650,000
2121	IL	Village of South Jacksonville—West Vandalia Road upgrades	\$952,572
2122	AS	Village road improvements for Launiusaelua and Ithau counties in the Central district	\$3,000,000
2123	AS	Village road improvements for Tualauta, Tualatai, Aitulagi, Fofu, and Alataua counties in the Western district	\$3,000,000
2124	FL	Destiny Rd Reconstruction, Eatonville	\$1,000,000
2125	KY	Construct New Technology Triangle Access Road, Campbell County, Kentucky	\$2,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2126	NY	Town of Wawayanda reconstruction of McVeigh Road	\$400,000
2127	VA	Virginia Creeper Trail—trail needs, including construction of restroom facilities at Watauga and Alvarado and parking expansion at Watauga	\$850,000
2128	CA	Construct grade separation on State College Blvd. at the Burlington Northern Santa Fe railroad, Fullerton	\$14,000,000
2129	MA	Warren Street—Blue Hill Avenue	\$2,000,000
2130	FL	Design and construct Dunn Avenue Extension, Volusia County	\$2,000,000
2131	CA	Construct operational and safety improvements to I-880 N at 29th Ave in Oakland	\$2,500,000
2132	WA	U.S. 395, North Spokane Corridor Improvements ...	\$3,300,000
2133	NY	Route 531 Expansion Spencerport-Brockport, 4-lane Highway is a project to extend Rt. 531	\$7,400,000
2134	OR	Columbia Intermodal Corridor for rail congestion relief, improved intersections and access to Interstate-5 for trucks, and grade-separate road from rail, Portland	\$11,150,000
2135	OH	Interchange and related road improvements to SR 44 in Painesville, OH	\$3,000,000
2136	GA	Greene County, Georgia conversion of I-20 and Carey Station Road overpass to full interchange	\$1,200,000
2137	IL	Pioneer Parkway upgrade in Peoria—Extension from Allen Road to Route 91	\$2,000,000
2138	MS	Construct historic bicycle path, Pascagoula	\$150,000
2139	PA	Crows Run Relocation from SR 65 to Freedom Crider Road	\$2,350,000
2140	OH	Replace the Edward N. Waldvogel Viaduct in Cincinnati	\$6,000,000
2141	NC	Construct I-540 from NC 55 South to NC 55 North	\$11,000,000
2142	NY	Roadway, streetscape, pedestrian, and parking improvements to the Buffalo Niagara Medical Campus, Buffalo	\$4,000,000
2143	VA	Upgrade DOT crossing #470515H to constant warning devices in Halifax	\$150,000
2144	PA	Design, engineering, ROW acquisition & construction of streetscapping enhancements, paving, lighting, safety improvements, parking & roadway redesign in Avoca Borough, Luzerne County	\$200,000
2145	WA	Bridge Modification and Interstate Highway Protection Project, Skagit River, in Skagit County ..	\$4,000,000
2146	TN	Construct welcome center, Macon County	\$200,000
2147	CA	Construction of new roadway lighting on major transportation corridors in the Northwest San Fernando Valley	\$1,000,000
2148	MO	Interchange design and construction for the Main Street Extension at I-55, Cape Girardeau County	\$1,000,000
2149	CA	Replace SR22 interchanges, construct HOV lanes, and lengthen bridges in Garden Gove	\$6,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2150	IL	Construct I290, The Village of Oak Park	\$1,000,000
2151	RI	Rehabilitation of Bridge Number 550 In Pawtucket	\$5,500,000
2152	WA	Complete analysis, permitting and right of way procurement for I-5/SR501 Interchange replacement in Ridgefield	\$500,000
2153	CA	Design and construct new interchange at Potrero Blvd and State Route 60 in Beaumont	\$2,000,000
2154	TN	construction of a pedestrian bridge in Alcoa, TN	\$1,000,000
2155	WV	Construct 4 lane improvements on U.S. Route 35 in Mason County	\$14,000,000
2156	OH	Construct Grade Separation at Front Street, Berea	\$500,000
2157	CA	Crenshaw Blvd. Rehabilitation, 182nd St. -190th St.; and Crenshaw Blvd. at 182nd St. Fwy on-off Ramp Capacity Enhancement, City of Torrance	\$800,000
2158	CA	Construct Interchange at Intersection of SR 44 and Stillwater Road	\$8,000,000
2159	MN	CSAH 61 improvements, City of Coleraine	\$490,000
2160	KY	Expansion to four lanes of Hwy 55 and Hwy 555 Heartland Parkway in Taylor County	\$10,000,000
2161	KS	Interchange improvement at K-7 and 55th St. in Johnson Co	\$5,000,000
2162	CA	Construct truck lane on Baughman Road from State Route 78/86 to Forrester Road, Westmorland	\$550,000
2163	AZ	Construct bridges at Aspen St., at Birch St., at Cherry St., at Bonito St., at Thorpe St	\$1,500,000
2164	CT	Construct Putnam curb cuts	\$50,000
2165	OH	Canton, OH Cleveland Ave. bridge replacement over the Nimishilen Creek	\$400,000
2166	MN	Design and right of way acquisition for I-35 and CSAH2 interchange in Forest Lake, MN	\$3,000,000
2167	PA	Complete the connection of the American Parkway between the east and west sides of the Lehigh River with bridge and interchanges	\$10,000,000
2168	PA	Design, engineering, ROW acquisition & construction of street improvements, parking & safety enhancements Main & Parsonage Streets in Pittston	\$250,000
2169	TX	Grade separation bridges at Wintergreen Rd. and Millers Ferry Rd. in Hutchins and Pleasant Run Rd. and Millers Ferry Rd. in Wilmer	\$8,200,000
2170	GA	I-20 HOV lanes from Evans Mill Road to Salem Road, Dekalb and Rockdale Counties	\$1,500,000
2171	NV	Improve Las Vegas Beltway-Airport Connector Interchange	\$4,000,000
2172	CA	Oregon-Page Mill expressway Improvements between US101 and SR 82, Palo Alto	\$4,000,000
2173	MA	Design and construct the Quinebaug River Rail Trail Bikeway	\$1,000,000
2174	CA	Park Boulevard-Harbor Drive Rail Grade Separation, San Diego	\$1,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2175	MN	Paul Bunyan Trail, Walker to Bemidji segment	\$700,000
2176	CA	Construct road surface improvements, and improve road safety from Brawley Water plant to HWY 86 to 9th Street to 18th Street, Brawley	\$1,400,000
2177	TX	Improvements to FM 1017 in Hebronville	\$500,000
2178	CA	Alameda Corridor East Gateway to America Trade Corridor Project, Highway-Railgrade separation along 35 mile corridor from Alameda Corridor (Hobart Junction) to Los Angeles/San Bernardino County Line	\$15,500,000
2179	GA	Phase III Streetscape-Columbus	\$1,000,000
2180	IL	Pre-construction and construction IL 15 over Wabash River at Mt. Carmel	\$6,960,000
2181	NY	Queens and Brooklyn County Graffiti Elimination Program including Kings Highway from Ocean Parkway to McDonald Avenue	\$4,000,000
2182	IA	Improvements at the IA 146 and I 80 interchange, Grinnell	\$1,000,000
2183	TX	Construct Grade separation at US 277 in Eagle Pass	\$5,000,000
2184	LA	Plan, design, land acquisition, and construction for improved access to I-10 and US61/River Road in St. John the Baptist and in Ascension Parish on the LA22 Corridor	\$2,750,000
2185	KS	Construction of a two-lane on a four-lane right of way bypass with controlled access on US-400 at Dodge City	\$12,800,000
2186	MN	Reconstruct CR 203 between US 10 and CSAH 1, Morrison County	\$336,000
2187	NY	Reconstruction of York Street Industrial Corridor Project, Auburn, NY	\$3,500,000
2188	NY	Construction of and improvements to Route 62 in the Village of Hamburg	\$1,000,000
2189	IN	Downtown road improvements, Indianapolis	\$10,000,000
2190	AL	Construct pedestrian urban-edge riverwalk in Montgomery, AL	\$500,000
2191	PA	Johnstown, Pennsylvania, West End bypass safety improvements	\$5,000,000
2192	CA	Construction of traffic and pedestrian safety improvements in Yucca Valley	\$2,000,000
2193	CA	710 Freeway Study to Evaluate Technical Feasibility and Impacts of a Tunnel Alternative to Close 710 Freeway Gap	\$3,000,000
2194	CA	Greenleaf Right of Way Community Enhancement Project-design and construct bikeways, pedestrian walkways and upgrade signalization Compton	\$3,000,000
2195	KY	Improve Prospect Street Pedestrian Access, Berea ..	\$2,750,000
2196	OH	Construct Crocker Stearns Connection, North Olmsted and Westlake	\$700,000
2197	NY	Construction of and improvements to Seneca Street in Buffalo	\$600,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2198	CA	Avalon Boulevard/I-405 Interchange modification project, Carson	\$4,000,000
2199	IL	Construct Illinois Route 336 from Macomb to Peoria	\$2,000,000
2200	NC	North Carolina. Pack Sqaure Pedestrian and Roadway Improvements, Asheville	\$4,000,000
2201	PA	Provide pedestrian and water access to Convention Center from surrounding neighborhoods	\$1,100,000
2202	NY	Reconstruction of Times and Duffy Squares in New York City	\$1,500,000
2203	LA	Construction of I-10 Access Road (Crowley)	\$1,100,000
2204	NY	Repaving of I-86 in towns of Coldspring, Randolph, Allegany, and Olean; City of Olean; Village of Randolph in Cattaraugus County	\$10,000,000
2205	PA	Replace Bridge, S.R. 106, Tunkhannock Creek Bridge 2, Clifford Township, Susquehanna County	\$800,000
2206	NJ	Replace Route 7- Wittpen Bridge, Hudson County	\$1,000,000
2207	MN	Right-of-Way acquisition for 8th Street North & Pinecone Road	\$4,000,000
2208	IL	For Village of Lemont to modernize and improve the intersection of McCarthy Road, Derby Road, and Archer Avenue	\$350,000
2209	CA	Construct I-80 HOV lanes and interchange in Vallejo	\$1,000,000
2210	PA	Rail Crossing signalization upgrade, East Wesner Road, Maiden creek Twp, Berks County	\$206,300
2211	OH	Construct road projects and transportation enhancements as part of RiverScape Phase III, Montgomery County, Ohio	\$4,480,000
2212	TN	Riverside Drive Cobblestone Restoration and Walkway, Memphis	\$1,000,000
2213	TX	Road grade separation at Fairmont Parkway over Southern Pacific Rail road	\$5,000,000
2214	PA	Construct additional northbound lane on Rte 28 between Harmar and Creighton Interchange	\$1,650,000
2215	NJ	Roadway and intersection modifications on New Jersey Route 82	\$1,000,000
2216	OH	Jackson Township, Ohio. Intersection improvements at Fulton Dr. and Wales	\$2,000,000
2217	GA	Rockdale County Veteran's Park— create park trails	\$500,000
2218	MA	Construct the Blackstone River Bikeway and Worcester Bikeway Pavilion between Providence, RI and Worcester, MA	\$2,000,000
2219	OH	Improvements to SR 91 in City of Twinsburg, OH	\$1,950,000
2220	TX	Completion of US 77 relief route around City of Robstown	\$2,000,000
2221	NY	Improve Maple Avenue, Smithtown	\$1,000,000
2222	HI	Replace and Rehabilitate Kamehameha Highway Bridges, Island of Oahu	\$1,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2223	TX	SH71 from W of FM 20 to Loop 150, Bastrop County	\$2,000,000
2224	IN	Construct US 31 Plymouth to South Bend Freeway Project in Marshall and St. Joseph Counties, Indiana	\$8,000,000
2225	LA	Plan and develop a four-lane roadway, Jeanerette to US 90 connection	\$200,000
2226	LA	Construct I-12 and LA 1088 Interchange	\$3,000,000
2227	CA	4 lane widening/safety improvements on State Route 25 from Hollister to Gilroy	\$3,660,000
2228	NY	Comprehensive traffic congestion mitigation study of Hauppauge Industrial Park and surrounding area	\$750,000
2229	NY	Develop an identity and signage program for the Erie Canalway National Heritage Corridor	\$1,000,000
2230	CO	Dillon Drive Overpass at Interstate 25 in Pueblo ...	\$4,000,000
2231	NY	Improvements at highway-rail crossings along the Southern Teir Extension Railroad in Allegany, Cattaraugus, and Steuben Counties	\$1,000,000
2232	FL	Depot Ave. Enhancements, Gainesville	\$6,000,000
2233	CA	Interstate 15 and Winchester Road Interchange Project	\$1,000,000
2234	PA	Construct the Eastern Inner Loop in Centre County around State College, PA	\$1,000,000
2235	NJ	Streetscape Improvements along Berlin road between Gibbsboro Road and White Horse Road in Lindenwold Borough	\$1,000,000
2236	FL	Conduct planning and engineering for SR 70 widening in Hardee, DeSoto and Okeechobee	\$2,000,000
2237	GA	Streetscape-Albany	\$500,000
2238	GA	Streetscape-Richland	\$200,000
2239	MO	Construct four lanes for Route 5 in Camden County	\$10,000,000
2240	IL	Improve Cottage Grove intersection, South Chicago Avenue and 71st Street	\$1,000,000
2241	NY	Study, design and reconstruction of pedestrian walkways, the Bronx	\$1,000,000
2242	MS	Upgrade roads in Anguilla and Rolling Fork, Sharkey County	\$750,000
2243	TX	For center to center communication link between highway traffic transportation management centers	\$1,000,000
2244	OH	Upgrade the interchange of Interstates 270 and 71 in Franklin County, Ohio	\$2,000,000
2245	CA	US 101 Corridor Improvements—Route 280 to the Capitol-Yerba Buena Interchange	\$5,000,000
2246	CA	Rancho Vista Blvd Widening Project	\$3,000,000
2247	NJ	Newark Access Variable Message Signage System ...	\$500,000
2248	IA	Construct SW Connector, West Des Moines	\$2,000,000
2249	IA	US 30 reconstruction , near Tama	\$4,000,000
2250	GA	Construction of interchange on I-985 north of SR-13, Hall County Georgia	\$5,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2251	MI	Marquette County, Realignment of 3200 feet of County Road 492 from US-41 north to County Road HD	\$500,000
2252	WI	Realign USH 8 near Cameron, Barron County	\$2,000,000
2253	PA	Restoration of PA422, in Berks County, including slab repair and diamond grinding	\$1,000,000
2254	CA	Monte Vista Avenue Grade Separation, Montclair, California	\$2,000,000
2255	NY	Deploy intermodal chassis ITS project in New York	\$2,000,000
2256	NY	Reconstruction of Route 590 in the Town of Irondequoit, NY	\$5,000,000
2257	NY	Design and Construction of Downtown Jamestown Connector Trail	\$2,000,000
2258	LA	Further construction to improve draining at Clearview Parkway (LA 3152) and Earhart Expressway (LA 3139)	\$3,300,000
2259	MI	Houghton County, Rehabilitate 2 piers and remove old bridge caissons for Sturgeon River Bridge	\$270,000
2260	AK	Make necessary improvements to Indian River Road in City and Borough of Sitka	\$2,000,000
2261	MN	Reconstruct CSAH 61 from Barnum to TH 210 at Carlton, and improve Munger Trail	\$1,680,000
2262	TX	Build I-30 Trinity River Bridge, Dallas, Texas	\$1,000,000
2263	AK	Realign rail track to eliminate highway-rail crossings and improve highway safety and transit times	\$5,000,000
2264	MS	Relocate SR 44 from SR 198 to Pierce Road, Columbia	\$3,500,000
2265	AL	Interstate 565 west extension towards Decatur	\$2,000,000
2266	MO	Roadway Improvements on Rte. 21 from Hayden Road to Lake Lorraine	\$5,000,000
2267	IL	Halsted Bridge over North Branch Canal Reconstruction, City of Chicago	\$600,000
2268	VA	Town of Pound Riverwalk—construction of pedestrian riverwalk in Town of Pound	\$100,000
2269	IL	US 67 west of Jacksonville, IL Bypass to east of IL 100	\$2,000,000
2270	NY	Village of Wappingers Falls North Mesier Ave	\$750,000
2271	AR	War Eagle Bridge Rehabilitation—Benton County, Arkansas	\$640,000
2272	WI	Build additional staircases, landscape, and other improvements to the municipal bridge at the Holton St. Viaduct in Milwaukee	\$800,000
2273	TN	Washington County, Tennessee SR-36 widening	\$1,000,000
2274	MI	Westland, Ann Arbor Trail between Farmington and Merriman	\$3,150,000
2275	MI	White Lake, pave Cooley Lake Road Between Hix and Newburgh Roads	\$500,000
2276	GA	Bridge replacement on County Road 183-FAS Route 1509, Peach County	\$425,000
2277	NC	I40 I-77 Interchange in Iredell County, NC	\$4,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2278	CA	Construct safe routes to school in Cherryland and Ashland	\$1,000,000
2279	CA	Install Central Ave Historic Corridor comprehensive streetscape improvements thus improving traffic, ped safety, and economic development, Los Angeles	\$2,000,000
2280	VA	Whitetop Station—completion of renovation of Whitetop Station (which serves as trailhead facility) including construction of trail	\$100,000
2281	CT	Make Improvements to Montville-Preston Mohegan Bridge	\$3,000,000
2282	IL	Widen and improve Pulaski Road, Alsip	\$700,000
2283	AK	For Completion of the Shotgun Cove Road, from Whittier, Alaska to the area of Decision Point, Alaska	\$4,000,000
2284	NY	Study and Implement Intelligent Transportation System Sensor Technology to Improve Safety at Bridges and Tunnels in Metropolitan New York City	\$1,000,000
2285	NY	Warburton avenue Bridge over Factory Lane, Hastings-on-Hudson, New York	\$1,000,000
2286	NY	Improve intersection of Old Dock and Church Street, Kings Park	\$500,000
2287	TN	Widen and improve State Route 33, Knox County, Tennessee	\$6,500,000
2288	CA	Reconstruct Paramount Bl. with medians and improve drainage from north border to south border of city in Lakewood	\$1,350,000
2289	NY	Upgrade Metro North stations in the Bronx and construct station at Yankee Stadium	\$3,000,000
2290	OH	Construct the existing industrial park road from local to state standards near Cadiz	\$4,100,000
2291	LA	Upgrade LA 28 to four lanes from LA 121 to LA 465	\$2,000,000
2292	NY	Reconstruction of Historic Eastern Parkway	\$2,400,000
2293	CA	Widen and make ITS improvements on Paramount Blvd between Telegraph Rd and Gardendale St in Downey	\$1,000,000
2294	VA	Conduct planning and engineering for Hampton Roads Third Crossing and Interconnected Roadways	\$3,000,000
2295	IL	Widen Annie Glidden Road to five lanes with intersection improvements. DeKalb, IL	\$4,000,000
2296	CA	Widen California State Route 132 from California State Route 99 west to Dakota Avenue	\$18,000,000
2297	NC	Widen Derita Road from Poplar Tent Road in Concord to the Cabarrus Mecklenburg County line	\$2,000,000
2298	TX	Widen from 4 to 6 lanes Interstate 35 East from Lake Lewisville to Loop 288	\$6,000,000
2299	CA	Widen Haskell Avenue between Chase St. and Roscoe Blvd	\$200,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2300	TX	Widen Hempstead Highway from 12th Street to Washington Avenue from four lanes to six lanes	\$1,000,000
2301	NH	Reconstruction and relocation of the intersection of Maple Avenue and Charleston Road in Claremont	\$500,000
2302	OH	Construct highway-rail crossing safety upgrades at 3 grade crossings in Madison Village, OH	\$300,000
2303	WA	Rebuild Yakima Valley Highway within city limits of Sunnyside, WA	\$1,600,000
2304	NY	Implement Improvements for Pedestrian Safety in New York County	\$1,000,000
2305	NY	Construction of and improvements to Main Street in the Town of Eden	\$400,000
2306	GA	SR 85 widening from Adams DR to I-75 and reconstruct the Forest Parkway interchange, Clayton County	\$1,500,000
2307	GA	Jogging, and Bicycle Trails around CSU, Columbus	\$500,000
2308	PA	Design, engineering, ROW acquisition & construction of streetscapping enhancements, paving, lighting, safety improvements, parking & roadway redesign in Throop Borough, Lackawanna County	\$200,000
2309	IL	Reconstruct Winter Ave, existing 1 lane RR subway, and 1 lane bridge to provide access to Winter Park in Danville	\$5,400,000
2310	OR	Construct highway and pedestrian access to Macadam Ave and street improvements as part of the South Waterfront development, Portland	\$9,000,000
2311	TX	Relocation of 10th Street near McAllen-Miller International Airport	\$750,000
2312	IL	Construct pedestrian tunnel at railroad crossing in Winfield, IL	\$1,000,000
2313	IN	Construct Margaret Avenue Safety and Capacity Enhancement Project	\$3,000,000
2314	TX	Construct Loop 574 from BU77 to I-35 in McLennan Co	\$2,000,000
2315	NY	Construction of a bicycle / pedestrian off road scenic pathway from the Niagara Falls City Line to the southerly Lewiston Town / Village Line along the Niagara Gorge, Town of Lewiston, Village of Lewi	\$2,300,000
2316	FL	Construct new bridge from West -Florida Turnpike to CR 714 to 36th Street--cross S. Fork of St. Lucie River--Indian Street to US 10n east side ..	\$5,000,000
2317	WI	Recondition STH 16 from Columbus to STH 26 (Dodge County, Wisconsin)	\$4,000,000
2318	VI	Christiansted By-Pass Highway, St. Croix	\$8,000,000
2319	NY	Riverwalk in Irvington development	\$200,000
2320	OH	Road resurfacing and improvements in the Village of Bentleyville, OH	\$700,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2321	PA	Improvements to Stella Street rail-highway crossing in Wormleysburg, PA	\$750,000
2322	CT	Construct Entrance Ramp at Route 8 Exit 11, Shelton, CT	\$1,000,000
2323	AL	Pedestrian Improvements for Leeds, AL	\$100,000
2324	WA	Federal Way Triangle—Conduct final engineering work for the reconstruction of the I-5—SR 18 interchange	\$2,000,000
2325	MI	Garden City, Reconstruct Maplewood between Inkster and Merriman	\$1,225,000
2326	OR	Lake Road Reconstruction and Safety Improvements, Milwaukie	\$2,850,000
2327	NY	Resurface Grade Crossing at Old State Road	\$250,000
2328	MN	Construction of Cedar Avenue Busway, MN	\$6,000,000
2329	IL	Resurfacing of approx 30 miles of roadway in Village of Oak Lawn	\$7,000,000
2330	GA	Streetscape-Thomasville	\$300,000
2331	PR	To build the missing central segment of PR-10, to complete one of only two highways crossing Puerto Rico North to South	\$5,000,000
2332	PA	To enhance existing directional markers & increase wayfinding signage infrastructure in Monroe County	\$500,000
2333	CA	Construct and repair lining in four tunnels on Kanan, Kanan Dume, and Malibu Canyon Roads between US1 and US101	\$3,000,000
2334	GA	Sidewalk revitalization project in downtown Eastman	\$500,000
2335	TX	Port of Corpus Christi Up River Road for upgrade of roadway to and from docks & IH 37	\$500,000
2336	GA	Construct US 411 Connector from US 41 to I-75, Bartow County, Georgia	\$21,350,000
2337	NY	Construction of US Route 219 Expressway: Sections V and VI	\$8,000,000
2338	PA	Engineering, design and construction of an extension of Park Avenue north to Lakemont Park in Altoona	\$2,000,000
2339	MN	Reconstruct I-35E from I-94 to Maryland Avenue in St. Paul	\$3,500,000
2340	CA	Construct truck ramp linking Interstate 5 to the National City Marine Cargo Terminal, National City	\$1,500,000
2341	GA	Reconstruct the interchange at Interstate 185 and Victory Drive (SR 520), Columbus, GA Victory Drive (SR 520), Columbus, GA	\$1,806,000
2342	OH	Streetscaping, bicycle trails, and related improvements to the I-90—SR 615 Interchange in Mentor, OH	\$3,500,000
2343	IN	Preliminary engineering, right-of-way, and construction for Perimeter Parkway -West Lafayette/Purdue University, Indiana	\$10,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2344	TN	Reconstruct Interchange 55 at Mallory Avenue, Memphis, Shelby County	\$1,000,000
2345	CA	Upgrade first responders signal pre-emption hardware, Culver City	\$32,000
2346	IN	Construction of Maplecrest Rd Extension -- Allen County, Indiana	\$11,000,000
2347	MS	Upgrade roads in Arcola, Greenville, and Hollandale (U.S. Highway 61 and 18), Washington County	\$1,750,000
2348	MS	Canal Road Intermodal Connector, Gulfport	\$5,000,000
2349	PR	Construction of community bridge for Los Navarros Sector, Quebrada Arenas Community	\$500,000
2350	NY	Construct the Auburn Connector Road Corridor , Auburn, NY	\$1,000,000
2351	MA	Engineering and construction of Blackstone Valley Visitors Center at intersection of State Route 146 and Millbury Street, Worcester	\$6,400,000
2352	CA	Improve I-8 off ramp to the Desert Farming Institute, Imperial County	\$1,000,000
2353	KS	Construct bike and pedestrian path along K-10 between Douglas and Johnson Counties	\$500,000
2354	HI	Construct Bike Lanes on Kalaniana'ole Highway, vicinity of Makapuu to Keolu Drive	\$300,000
2355	TX	Donna/Rio Bravo International Bridge	\$2,000,000
2356	IL	Improve Sheridan Road, Evanston	\$2,000,000
2357	MD	Intercounty Connector	\$4,000,000
2358	MI	Resurfacing of Ten Mile Road in St. Clair Shores ..	\$896,000
2359	NY	Conduct studies to consider transportation planning and community involvement for infrastructure projects that address congestion relief in New York City	\$1,000,000
2360	MO	Construct an extension of MO 740 from U.S. 63 to the 1-70 Lake of the Woods Interchange	\$2,500,000
2361	LA	Improvements for LA 1148 in Iberville Parish; and LA/I-10 Connector Study; and improvements to LA 10/Zachary Taylor Parkway	\$4,000,000
2362	NY	Monroe County ITS project	\$900,000
2363	MO	Roadway improvement on I-44 in Phelps County Missouri	\$1,000,000
2364	MA	Rt128/95 ramp Northbound to Kendrick Street, Needham	\$2,000,000
2365	IN	Realign State Road 312, Hammond	\$4,162,891
2366	PA	Design, engineering, ROW acquisition & construction of surface improvements to the area adjacent to Exit 168 of Interstate 81 at the Wachovia Arena in Wilkes-Barre Township	\$250,000
2367	GA	SR 92 relocation from Durelee Road to SR 92 at Malone, including grade separation, Douglas County, Georgia	\$8,000,000
2368	IN	Construct I69 Evansville to Indianapolis, Indiana	\$14,000,000
2369	CA	Construct fourth bore of Caldecott Tunnel on SR 24, California	\$1,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2370	TN	Construct interchange on I-40 in Wilson County	\$1,000,000
2371	IN	Construct service road parallel to I-69 in the City of Anderson, Indiana	\$3,000,000
2372	NY	Croton-on-Hudson, NY Restoration of Van Cortlandt Manor entrance road	\$2,500,000
2373	OH	Construction and repair of pedestrian walkways along Lake Shore Blvd. in Lakeline Village, OH	\$289,000
2374	MD	Reconstruct MD 32 from MD 108 to I-70 in Howard County	\$2,000,000
2375	NY	Reconstruct Streets and Sidewalks in Middle Village	\$1,000,000
2376	MI	Reconstruct two bridges over Black Creek Drain in Sanilac County	\$712,500
2377	FL	Construction of Little Venice Road, Marathon, FL	\$1,000,000
2378	CA	Make traffic and safety improvements to Atlantic Blvd in Maywood	\$500,000
2379	MN	Stearns County Bridge no. 73501 Improvements	\$400,000
2380	LA	Construct LA 16 Interchange at I-12 and improvements, and Cook Road improvements	\$13,000,000
2381	MO	Reconstruct Highway 60 and Highway 65 Interchange	\$2,000,000
2382	CO	I-70, Havana, Yosemite Street Interchange Reconstruction Project, Denver	\$1,500,000
2383	CO	Reconstruct C470-US85 Interchange	\$4,000,000
2384	VA	Reconstruction of the entranceway to Montpelier on Orange County, Virginia	\$1,000,000
2385	TN	construct and widen underpass at intersection of Boydstation, Harvey, and McFee Roads, Knox County, TN	\$494,300
2386	GA	Extend sidewalks, upgrade landscaping in downtown Hawkinsville	\$500,000
2387	OH	Conduct Sarah St along SR 18 and 101 enhancement project to calm traffic in the City of Tiffin	\$2,600,000
2388	LA	Improvements to Zachary Taylor Parkway	\$2,000,000
2389	CA	Las Tunas Drive Pedestrian Enhancement, San Gabriel	\$150,000
2390	OH	Reconstruction, widening, and bicycle improvements to Pettibone Road in the City of Solon, OH	\$3,000,000
2391	NH	Replacement of Ash Street and Pillsbury Road Bridge	\$1,400,000
2392	PA	Swamp Road Corridor Safety and Roadway Improvements, Bucks County	\$1,000,000
2393	FL	Construct St. Augustine to Palatka Rail Trail, Florida	\$2,900,000
2394	IL	Construction of a traffic circle to reduce traffic congestion, Museum Campus Chicago	\$2,000,000
2395	AL	Pedestrian Improvements for Gardendale, AL	\$100,000
2396	PA	Extension of Second Street from Race to the intersection of Lehigh and Poplar Street in the Borough of Catasauqua	\$1,100,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2397	NE	Cuming Street Transportation Improvement Project, Omaha, Nebraska	\$4,000,000
2398	TN	Construct State Route 1 (US-70) to a four lane divided highway on new alignment from Centertown to McMinnville in Warren County ...	\$11,500,000
2399	CA	Improve access to I-80 at Eureka Road Interchange	\$2,000,000
2400	LA	Expand existing South Central Planning and Development Commission Intelligent Transportation System program in Houma-Thibodaux area by installing signals, sensors and systems ...	\$1,800,000
2401	IL	Install traffic control devices on traffic signals in Village of Oak Lawn	\$240,000
2402	CA	Interstate 15, California Oaks Road Interchange Project	\$2,000,000
2403	TX	Choate Road overpass to eliminate at-grade intersection between Choate Rd and SH146	\$9,800,000
2404	OH	Construction of I-75 Austin Road Interchange, Montgomery County, Ohio	\$7,500,000
2405	CA	Acquire lands adjacent to US 101 as part of Southern Santa Clara County Wildlife Corridor Protection and Scenic Enhancement Project	\$250,000
2406	TX	Construct US Business 287 through the Trinity Uptown Project from 7th St. NE to 11th St. NE in Fort Worth	\$7,000,000
2407	KS	Construct K-10 and Lone Elm Road interchange, Lenexa	\$5,000,000
2408	OH	Construct connector road between SR 79 and Thornwood Drive in Licking County	\$5,000,000
2409	NH	Construct Pedestrian, Bicycle bridge in Keene	\$800,000
2410	FL	Coral Way, SR 972 Highway Beautification, Phase One, Miami, Florida	\$1,000,000
2411	TN	Develop historic preservation transportation enhancement project, Sumner Co. and surrounding counties	\$135,000
2412	NY	Develop terminal facilities for water taxi projects in New York City	\$3,000,000
2413	WI	Expand USH 151 between Dickeyville and Belmont	\$2,000,000
2414	NY	Improve bicycle and pedestrian safety, NY25, Jamesport	\$300,000
2415	PA	PA Route 183 widening and ramp enhancement, Bern Township	\$1,600,000
2416	IN	Reconstruct Hoosier Heartland Highway, Wabash, Huntington and Miami County Indiana segments	\$750,000
2417	GA	Replace sidewalks, upgrade lighting, and install landscaping, Soperton	\$500,000
2418	LA	Lafayette, LA Implementation of Intelligent Transportation System	\$11,000,000
2419	NY	Conduct improvements to I87—Exit 18 Interchange	\$2,500,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2420	IL	To construct an extension of US-51 from .9 miles south of Moweaqua to 4.6 miles south of Moweaqua	\$2,000,000
2421	IL	Upgrade roads, The Village of Hillside	\$1,000,000
2422	MS	Upgrade safety devices at Front Street rail crossing, Ellisville	\$50,000
2423	CO	US 287—Ports-to-Plains Corridor in Colorado	\$3,000,000
2424	OH	Deconstruct the Bellaire Highway Bridge which connects Bellaire, Ohio and Benwood, WV	\$1,700,000
2425	VA	Construct I-95 Interchange at Temple Ave, Colonial Heights	\$5,000,000
2426	KS	Route designation, environmental clearance, final design and right-of-way acquisition for Crawford County, KS corridor of U.S. Highway 69	\$4,000,000
2427	CA	US-395 Realignment and Widening Project	\$500,000
2428	IL	To connect about a two-mile segment through Collinsville at two or three lanes	\$1,500,000
2429	IL	Construct Parking Facility and pedestrian walkways at 94th and S. Oak Park Ave, Oak Lawn	\$200,000
2430	UT	I-15 Freeway Reconstruction—Springville 200 South Interchange	\$4,500,000
2431	MA	Washington St. from High St. to Water St., Walpole	\$2,000,000
2432	VA	White's Mill Trail and Renovation—design and construction of recreational trail and preservation of watermill for use as visitors center	\$500,000
2433	CA	Implement San Francisco Street Improvements Program	\$8,000,000
2434	MA	Design, engineering and construction of Methuen Rotary alternative at I-93 and Routes 110 and 113, Methuen	\$1,000,000
2435	IL	Improve Mill Street, Rock Island	\$500,000
2436	PA	For the Nanticoke City Redevelopment Authority to design, acquire land, and construct a parking garage, streetscapping enhancements, paving, lighting & safety improvements, & roadway redesign in Nanti	\$7,000,000
2437	MI	Widen and reconstruct Walton Boulevard Bridge in Auburn Hills between Opdyke and Squirrel Road	\$5,000,000
2438	OR	Widen Delaura Beach Lane and add a bike lane both directions, Warrenton	\$150,000
2439	MA	Design and construct the 3 $\frac{1}{2}$ mile long Grand Trunk Trail bikeway from Sturbridge to Southbridge	\$700,000
2440	TN	Develop trails, bike paths and recreational facilities on the Crest of Black Mountain, Cumberland County for Cumberland Trail State Park	\$250,000
2441	NY	Study and Improve Traffic Flow Improvement at Atlantic Yard/ NETS Arena Development	\$3,000,000
2442	MD	Upgrade and widen MD237 from Pegg Road to MD235	\$10,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2443	PA	Main Street improvements from Broad Street to Richardson Avenue and Main Street to Madison Avenue, Borough of Lansdale	\$700,000
2444	CA	Widen Highway 101 in Marin and Sonoma Counties from Hwy 37 in Novato to Old Redwood Highway in Petaluma	\$15,000,000
2445	NY	Road and pedestrian safety improvements Main Street, Village of Patchogue	\$1,400,000
2446	UT	Widen Highway 92 from Lehi to Highland	\$5,000,000
2447	AZ	Widen I-10 to 3 lanes in each direction north of Tucson from Marana Interchange to Cortato Interchange	\$1,700,000
2448	CA	Widen I-238 between I-580 & I-880 in Alameda County	\$1,000,000
2449	VA	Widen I-66 westbound inside the Capital Beltway from the Rosslyn Tunnel to the Dulles Connector Road	\$7,000,000
2450	NC	Construction of I-74 between I-40 and US 220, High Point, North Carolina	\$5,000,000
2451	MD	Widen I-695, Baltimore Beltway, Southwest	\$3,000,000
2452	GA	Replace sidewalks, upgrade lighting in downtown Vidalia	\$500,000
2453	MN	Construct bicycle and pedestrian trails in Cuyuna Recreation Area	\$700,000
2454	HI	Construct Kapaa Bypass	\$3,000,000
2455	FL	Temple Terrace Highway Modification	\$3,000,000
2456	TN	Widen Interstate 240 from Poplar Avenue (SR-57) to near Walnut Grove Road (SR-23) East of Memphis, Shelby County	\$1,000,000
2457	IL	For the Village of Woodridge to resurface Internationale Parkway	\$100,000
2458	OR	I-5 Trade Corridor, Portland Oregon to Vancouver, Washington segment	\$5,700,000
2459	GA	Streetscape, Pedestrian Improvements in City Center, City of Clarkston	\$5,000,000
2460	KY	Widen KY 1991 from Maysville Road to Midland Trail Industrial Park, Montgomery County	\$1,250,000
2461	NC	Construct new Route from Beach Drive (SR 1104) to NC 211 in Brunswick County	\$4,000,000
2462	NJ	International Trade and Logistics Center Roadway Improvements at Exit 12 of the New Jersey Turnpike, Carteret	\$1,000,000
2463	IL	Interstate 41 and Route 176 Interchange replacement	\$500,000
2464	MA	Northern Avenue Bridge rehabilitation, Boston	\$3,000,000
2465	AK	Planning, design, and construction of Knik Arm Bridge	\$3,000,000
2466	IN	North Calumet Avenue Improvements, Valparaiso ..	\$1,200,000
2467	OR	I-205-Highway 213 interchange improvements	\$1,000,000
2468	TN	Improving Vehicle Efficiencies at highway At-Grade Railroad Crossing in Loudon, TN	\$57,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2469	AZ	Construct I 10 Collector Distributor Roadway from 40th Street to Baseline Maricopa County, Arizona	\$4,000,000
2470	LA	Improvements to LA 42 in Ascension Parish; and LA 73 improvements in Ascension Parish	\$10,000,000
2471	MN	Construct Paul Bunyan trail from Mississippi River Bridge Trail to Crow Wing State Park	\$775,000
2472	MN	Construct Mesabi Trail from Grand Rapids to City of Ely	\$2,700,000
2473	GA	Install sidewalks on Highway 23 from Dykes Street to Sarah Street, Cochran	\$300,000
2474	AK	Kodiak, AK Construction of AMHW ferry terminal and approach	\$7,500,000
2475	OK	Reconstruction of SH66 from Craig and Rogers Counties to SH66 and US60 intersection	\$1,000,000
2476	CA	Enhance pedestrian environment and increase safety along Olympic Blvd between Vermont and Western Avenues, Los Angeles	\$2,000,000
2477	NY	Enhancement of the Michigan Avenue Corridor, Buffalo	\$2,000,000
2478	NJ	Kapkowski Road Area Improvements in Elizabeth	\$4,500,000
2479	CA	Construct landscape medians along Skyline Drive from Sears Avenue to 58th Street, San Diego	\$1,000,000
2480	NY	Jamaica Air Train Station Area Infrastructure Improvements	\$5,000,000
2481	MO	Construct Highway 465 to Highway 376 south from HWY 76 to HWY 376	\$6,000,000
2482	WA	New Country Road on Whidbey Island	\$1,200,000
2483	NM	Chaco Wash Bridge and Road Improvements on Navajo Route 46	\$2,000,000
2484	CA	Reconstruct Interstate 880-Route 92 interchange in Hayward	\$1,750,000
2485	MA	Relocate Rt. 79 in Fall River to create 4-lane urban boulevard with landscaped median and developable waterfront	\$5,000,000
2486	IL	Road extension for Highway 22 in Macon County, IL	\$668,000
2487	NY	Portageville Bridge—purchase existing bridge to convert to pedestrian bridge	\$1,500,000
2488	PA	Rt.422 complete preliminary engineering and four lane expansion from Ebensburg to Kittanning	\$3,000,000
2489	CA	Upgrade essential road arterials, connectors, bridges and other road infrastructure improvements in the Town of Desert Hot Springs, CA	\$2,000,000
2490	KY	Construct the Heartland Parkway in Adair County	\$1,200,000
2491	NV	Horse-US-95 Interchange Project	\$6,000,000
2492	CT	Make Improvements to Plainfield Moosup Pond Road	\$300,000
2493	FL	Construction design ROW US 27 from SR 540 to SR544 & from I-4 to US 192 in Polk County, FL	\$10,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2494	IA	Construction of approaches and viaduct on Edgewood Rd SW over the UP Railroad, Prairie Creek, and the CRANDIC railroad	\$1,600,000
2495	NJ	Construct Hackensack River Walkway in Bergen County	\$2,000,000
2496	TX	Hwy 80/123 Overpass at Hwy 181 in Karnes County	\$300,000
2497	NM	Improvements to U.S. Highway 87 from Clayton, NM to Raton, NM	\$2,000,000
2498	VA	Route 11 Interchange improvements in Lexington, Virginia	\$1,000,000
2499	CA	Improvements to Ben Maddox Way Bridge	\$2,000,000
2500	WA	SR 18 Widening, Maple Valley to I-90	\$7,500,000
2501	NY	City of Beacon construction of pedestrian & Bicycle trail	\$315,000
2502	TX	FM 544, widen 2-lane roadway to 6-lane roadway from SH 121 to Dozier-Parker Road	\$2,000,000
2503	TX	Construct an alternate truck route to Interstate 35 in Buda	\$500,000
2504	NY	Improvements on the Cross Island Bridge Overpass / 212th Street and vicinity, Queens	\$4,220,000
2505	MI	Novi, Reconstruct Grand River between Novi and Haggerty	\$1,000,000
2506	SD	Resurface US Hwy 18 from Lake Andes to US Hwy 50 on Yankton Sioux Reservation	\$1,200,000
2507	PR	To revitalize Old San Juan Historic District streets	\$3,000,000
2508	WY	U.S. 85 Passing Lanes	\$2,000,000
2509	MA	Construct Blackstone River Bikeway and Worcester Bikeway Pavilion between Providence, RI and Worcester	\$2,000,000
2510	NY	Little Falls Access: Repair and reconstruct High School and Lower School Road	\$240,000
2511	FL	Replace Columbus Drive Bridge	\$4,000,000
2512	AS	Village road improvements for Sua and Vaifanua counties in the Eastern district	\$2,600,000
2513	MI	Construction of two railroad-highway grade separations on Farm Lane north of Mount Hope Road	\$2,300,000
2514	CA	Widen Atlantic Bl bridge over the Los Angeles River in Vernon	\$1,000,000
2515	CA	Widen Bundy Drive between Wilshire and Santa Monica Boulevards in the City of Los Angeles	\$4,250,000
2516	AL	To provide four lanes on US-80, Perry County, Marengo County, and Sumter County	\$14,000,000
2517	CA	Widen Maine Avenue in Baldwin Park	\$375,000
2518	NM	Ease traffic congestion and improve intersection safety by identifying alternative alignment to US 84/285 and NM 68 through Espanola.	\$2,000,000
2519	MS	Widen MS Hwy 19 between Philadelphia and Collinsville, MS	\$10,000,000
2520	NY	Construct the Fire Island ferry terminal facility, Patchogue	\$2,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2521	IL	IL 8 from East Peoria to Washington, IL	\$952,570
2522	NJ	Preliminary engineering for missing connections of NJ 23 and I-80	\$1,500,000
2523	ME	Penobscot Riverfront Development for bicycle trails, amenities, and traffic circulation improvements, Bangor and Brewer	\$2,000,000
2524	IL	Restoration and reconstruction of the central business district street. Cambridge, IL	\$1,200,000
2525	NC	Widen NC 150 from Cherryville to Lincolnton	\$1,000,000
2526	NY	Second phase of the Grand Concourse improvements from East 166th St. to East 171st St	\$10,000,000
2527	VT	U.S. Route 7 and U.S. Route 4 road improvements for the City of Rutland	\$3,560,000
2528	IL	Improve 63rd Street, Chicago	\$2,000,000
2529	MI	Alcona County, Reconstruction of Ritchie Road from Village of Lincoln to Hubbard Lake road ...	\$813,000
2530	SC	Construct roadway btwn I-26 and US 1 in Lexington County. Intermodal connector from US 1 to I-26 and I-77. SC 302 and SC 602 improvements	\$2,000,000
2531	OR	Agness Road, Curry County	\$1,000,000
2532	NY	Rehabilitation of Sharon Drive in the Town of Poughkeepsie	\$325,000
2533	TX	Conduct study of I-10 and U.S. 190 with a focus on congestion relief and the need for a military & emergency relief transportation corridor	\$200,000
2534	MD	MD 85 at I270	\$6,000,000
2535	GA	SR 36 passing lanes north of Jackson to Newton County line, Butts County, Georgia	\$3,050,000
2536	VA	I-66 and Route 29 Gainesville Interchange Project	\$9,000,000
2537	NY	Construct and extend existing pedestrian streetscape areas in Lynbrook	\$1,000,000
2538	CA	Construct traffic intersection island improvements on North side of Olympic Blvd where Irolo St. and Normandie Ave. split in Koreatown, Los Angeles	\$200,000
2539	WA	Improvements in the SR9 corridor in Snohomish County	\$1,500,000
2540	PA	Replace a highway railcrossing in Osborne Borough, PA	\$2,150,000
2541	AL	Pedestrian Improvements for Centerpoint, AL	\$100,000
2542	CA	Replace twin 2 lane bridge with single 4 lane bridge on SR 138 over Big Rock Wash	\$500,000
2543	CA	State Route 86S and Ave 50 highway safety grade separation	\$1,000,000
2544	TX	Construct Fredericksburg Road-Medical Drive grade separation in San Antonio	\$3,800,000
2545	PA	For design, engineering, ROW acquisition, & construction of a connector road between the Valmont Industrial Park & Pennsylvania Rt. 924 at Cranberry Creek	\$500,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2546	AR	Interstates 30/440/530 Interchanges—for interchange improvements, Little Rock	\$1,500,000
2547	NJ	Rehabilitation of Benigno Boulevard from I-295 to Route 168 in Bellmawr	\$400,000
2548	PA	Preconstruction studies for improvement to US 22	\$1,000,000
2549	IL	Establish transportation museum on Navy Pier, Chicago	\$540,000
2550	WA	Continuing construction of I 90, Spokane to Idaho State Line	\$3,300,000
2551	VA	Improve transportation infrastructure for visitors to Jamestown 2007	\$531,900
2552	AR	Highway 67: Kiehl Avenue—Vandenberg Boulevard: rehabilitating and widening Highway 67 from four to six lanes from Kiehl Ave. to Vandenberg Blvd	\$2,000,000
2553	NY	Install Improvements for Pedestrian Safety in the vicinity of PS 81	\$250,000
2554	GA	Memorial Drive Corridor	\$2,000,000
2555	VA	Route 11 improvements in Maurertown, Virginia ...	\$1,000,000
2556	PA	Street improvements, Whitemarsh Township	\$1,500,000
2557	VT	Construction of the Lamoille Valley Rail Trail for the Vermont Association of Snow Travelers	\$7,268,486
2558	CO	I-76: Colorado's Northeast Gateway	\$3,000,000
2559	VA	Construct Maersk Terminal interchange in Portsmouth	\$2,000,000
2560	GA	I-75 Welcom Project	\$250,000
2561	PA	Improve handicapped accessibility and provide pedestrian overpass in Villanova	\$3,000,000
2562	NY	Install Two Permanent Variable Message Signs (VMS) on Belt Parkway	\$500,000
2563	MI	Re-surfacing Sebewaing Road in Huron County	\$416,000
2564	IN	Complete construction of paths at Hamilton County Riverwalk, Noblesville, Indiana	\$375,000
2565	NY	Study and Implement Safety Enhancement to Avenue U from Mill Avenue to East 38th Street and Flatbush Avenue from Avenue T to Avenue V	\$500,000
2566	PA	Upgrade circuit for gates and lights at Sixth Street in Emmaus, PA USDOT crossing number 592402P to constant warning time devices	\$275,000
2567	TN	Plan and construct a bicycle and pedestrian trail, Eagleville	\$200,000
2568	NY	Improvements for pedestrian and vehicular access to Baychester Avenue and Bartow Avenue	\$600,000
2569	GA	SR 400 reconstruction from I285 to McFarland Road, Fulton and Forsyth Counties	\$1,000,000
2570	MI	Construct pedestrian and bicycle pathway at Chippewa Landing River Park in the Village of Caro	\$80,000
2571	GA	Upgrade sidewalks, replace street lights, and landscaping, Metter	\$500,000
2572	AR	Highway 412: Baxter Co. to Ash Flat	\$2,000,000
2573	NY	Town of North Salem improvements and repaving to Hawley Road	\$200,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2574	IA	US 20 Mississippi River Bridge and approaches, Dubuque Co, IA	\$25,000,000
2575	NY	Construct access road and exit lanes for Center for Advanced Medicine: North Shore LIJ Health System	\$1,500,000
2576	NY	Improve key intersections and highway segments along Rt. 32 between Route 17-6-NYS Thruway interchange in Harriman and Highland Mills ...	\$750,000
2577	CA	Widen I-5 to 10 Lanes and Improve Corridor Arterials, SR 91 to I-710	\$5,200,000
2578	IL	For the construction of the Grand Avenue Underpass, Village of Franklin Park	\$1,160,000
2579	NY	Rehabilitation of North and South Ridge Street and Wappanocca Avenue in the Village of Rye Brook and City of Rye	\$2,160,000
2580	NY	NYS DOT Route 55 construction over Fishkill Creek and left turn lane construction	\$1,400,000
2581	AL	Alabama Hwy 36 Extension and Widening-Phase II	\$1,000,000
2582	OH	Construct Eagle Avenue Viaduct-Demolition bridge, realignment of roadway to replace bridge and reconstruction of two other bridges, Cleveland	\$500,000
2583	NV	Construct US 93 Corridor -Boulder City	\$10,000,000
2584	NY	Reconstruction of NYS 5, 8, 12. Viaduct and Rt 5A and 5S: City of Utica	\$1,000,000
2585	CT	Street and streetscape improvements along Campbell Ave., West Haven	\$1,500,000
2586	MA	Reconstruct North Washington Street Bridge to connect Boston and Charlestown	\$6,000,000
2587	MS	Upgrade roads in Fayette (U.S. Hwy 61 and 33), Jefferson County	\$400,000
2588	MN	Heritage Center at the Grand Portage National Monument	\$1,400,000
2589	NY	Redesign and reconstruction of the Putnam Rail-Trail, Bronx	\$650,000
2590	OR	Highway 34/Corvallis Bypass Intersection	\$2,100,000
2591	CA	Install traffic signal on Balboa Blvd. at Knollwood Shopping Center	\$120,000
2592	MA	Chelsea Street Bridge Reconstruction	\$8,000,000
2593	AL	Pedestrian Improvements for Northport, AL	\$100,000
2594	NV	Construct widening of US50A from Fernley to Leeteville Junction	\$5,000,000
2595	WA	Rebuild & widen Cemetery Road bridge over US Bureau of Reclamation canal near Othello, WA ..	\$200,000
2596	FL	Roadway construction of SW 62-SW 24 Avenue in Gainesville	\$2,000,000
2597	WA	SR 2/Kelsey Street Intersection Improvements in Monroe	\$1,040,000
2598	NY	Town of Southeast construction and repaving of town roads	\$300,000
2599	MI	Reconstruct Third Ave. from Saginaw St. to Flint River, City of Flint	\$3,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2600	PA	Upgrade circuit for gates and lights at 31st Street in Allentown, PA USDOT crossing number 592410G to constant warning time devices	\$275,000
2601	NV	Construct US 95 Widening from Rainbow Blvd to Kyle Canyon	\$4,750,000
2602	IN	Improve campus streets to increase pedestrian safety and ease vehicular congestion in the City of Anderson, Indiana	\$2,000,000
2603	PA	Schaefferstown Bypass, PA Route 501, Lebanon	\$1,000,000
2604	PA	Design, engineering, ROW acquisition & construction of streetscapping enhancements, paving, lighting, safety improvements, parking & roadway redesign in Dupont Borough, Luzerne County	\$200,000
2605	GA	Intersection improvement at Lake Dow Road and SR 81 Harris Dr at SR 42	\$600,000
2606	CA	Replace South Access to the Golden Gate Bridge—Doyle Drive	\$6,000,000
2607	IL	Resurface Yellow Banks Road, Franklin County	\$400,000
2608	AL	Widen CR-52 from Helena to US-31	\$15,000,000
2609	IL	Intersection Reconstruction at US 12-IL31-Tryon Grove Road	\$900,000
2610	NY	Streetscape of Herald and Greeley Squares in New York City	\$500,000
2611	NJ	Construct Cape May and Supawna Meadows National Wildlife Refuges Roadway and Parking Improvements	\$750,000
2612	TX	Del Rio-Laughlin Air Force Base Relief Route	\$4,000,000
2613	NC	Study feasibility of widening US 221-NC 226 from Woodlawn to Spruce Pine, start planning and design, and make upgrades to improve safety	\$3,000,000
2614	NY	Transportation improvements to the Far Rockaway Business District, Queens, New York	\$2,400,000
2615	VI	Upgrade West-East Corridor through Charlotte Amalie, St. Thomas	\$8,000,000
2616	NH	Hampton Bridge Rehabilitation -Hampton, NH	\$1,500,000
2617	CA	Gale Avenue widening between Fullerton Road and Nogales Street, and Nogales Street widening at Gale Avenue	\$100,000
2618	CA	Grade Separation at Cesar Chavez Parkway and Harbor Drive, San Diego	\$500,000
2619	MO	Improve access to I-55 at River Des Peres	\$10,000,000
2620	PA	PA Route 61 enhancements, Schuylkill Haven	\$10,000,000
2621	MO	Kansas City SmartPort ITS for highways	\$5,000,000
2622	PA	City of Philadelphia in conjunction with American Cities Foundation for neighborhood transportation enhancement and pedestrian safety projects	\$4,000,000
2623	DE	Reconstructing I-95/SR-1 interchange, adding a fifth lane, and replacing toll plaza on Delaware's portion of I-95 corridor	\$5,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2624	OH	Study possible road upgrades in Tuscarawas County due to flood issues based on dams in Muskingum Watershed District	\$100,000
2625	OR	Sunrise Corridor, Clackamas County	\$2,850,000
2626	CA	Construct Cabot-Camino Capistrano Bridge Project and related roadway improvements in Cities of Mission Viejo and Laguna Niguel, California	\$838,690
2627	TX	Construction of mainlanes and interchanges on SH 121 from Hillcrest to US 75	\$14,000,000
2628	WA	Enumclaw, WA Welcome Center	\$1,500,000
2629	PA	Upgrade narrow existing roads, Plank, Ottis, Meyers, Seitz Roads, along 1 mile corridor to 2 lane road with shoulders, improve intersections	\$1,000,000
2630	GA	Widen Old Petersburg Road-Old Evans Road from Baston Road to Washington Road, Columbia County, Georgia	\$4,000,000
2631	CA	Widen Peyton Dr. from Grand Ave. to Chino Hills Pky., construct Eucalyptus Ave. from Peyton Dr. to Galloping Hills, improve English Channel	\$7,036,110
2632	TX	New construction for the SH 349 Reliever Route beginning at the SH 191 intersection in Midland ..	\$2,500,000
2633	PA	Widen Route 22 between Export and Delmont	\$1,450,000
2634	CA	Construction of a traffic signal at the intersection of Hamlin St. and Corbin Ave	\$125,000
2635	NY	Design/Environmental work on the Inner Loop from Clinton Avenue to East Main Street, Rochester	\$2,400,000
2636	MO	I-35 access modification planning, city of Kearney	\$1,500,000
2637	PR	Construction of community bridge at Los Olvidados Sector, Quebrada Arenas Community	\$425,000
2638	MN	North-South Corridor with Railroad Overpass, City of Staples	\$1,500,000
2639	CA	Port of Hueneme Intermodal Access Improvement Project, including grade separation at Rice Avenue and State Route 34; widen Hueneme Road ..	\$4,700,000
2640	CA	Reconstruct and deep-lift asphalt on various roads throughout the district in Ventura County	\$4,856,000
2641	GA	Upgrade sidewalks, parking, street lighting, and landscaping, Claxton	\$500,000
2642	MS	Upgrade roads in Itta Bena (U.S. Hwy 82 and 7) and in vicinity of Viking Range Corp. (U.S. Hwy 7 and 49) , Leflore County	\$1,500,000
2643	VA	Widen Route 262 in Augusta County	\$1,000,000
2644	CA	Forest Highway 171 Upper Skyway Improvement	\$7,250,000
2645	NV	Rehabilitate Lake Mead Parkway	\$3,000,000
2646	IL	Construct Bridge Overpass, DuSable Museum-Chicago	\$1,000,000
2647	WA	Expand size and improve safety Lewis and Clark Discovery Trailhead and Scenic Overlook	\$146,000
2648	PA	Construction of access improvement at the I79 SR 228 interchange in vicinity of Cranberry Town Center	\$650,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2649	PA	Development of bicycle and pedestrian trails and access links along North Delaware Riverfront	\$10,000,000
2650	OH	Highway—railroad grade separation over the Norfolk Southern Rail Line for the Hines Hill Road—Milford Connector project in Hudson, Ohio	\$300,000
2651	CA	Construct crosswalk bump-outs and related streetscape improvements on Temple St between Hoover St and Glendale Blvd, Los Angeles	\$400,000
2652	NC	Improve SR1023 from US70 Business to US301 in Smithfield	\$5,000,000
2653	MA	Improvements to Mass. Ave, Andover Street, Osgood Street, Salem Street, and Johnson Street in the Old Town Center of North Andover	\$1,000,000
2654	KY	Reconstruct US 127 at US 127 South, Mercer County	\$600,000
2655	CA	Construct truck lane from Britannia Blvd. to the Otay Mesa Port of Entry, San Diego County	\$4,000,000
2656	PA	Beford, Pa- Relocation of Old Route 220 and Sweet Road. Complete preliminary engineering, purchase right-of-way, construction	\$9,000,000
2657	GA	Design and construction of 2.2 miles of multi-use trail in the City of Douglas, Georgia	\$200,000
2658	IL	Entry Road to SIU Research Park	\$1,600,000
2659	NY	Kingston, Construct pedestrian waterfront walkway	\$1,600,000
2660	MN	Reconstruct TH 61 north of Split Rock River to Chapins Curve, bridges number 8285 and 8286, Lake County	\$5,280,000
2661	KS	Replacement of US-169 bridge in Kansas City	\$8,500,000
2662	PA	Route 313 Turning Lanes and Truck Climbing Lanes, Bucks County	\$1,000,000
2663	CA	Purchase of Rosemead Blvd ROW, Temple City	\$1,000,000
2664	NY	Reconfiguration of Bay Avenue and Polaris Street in Newark, NJ	\$8,000,000
2665	MI	Reconstruct highway under a railroad bridge, Wyoming Ave. from Eagle Pass to Michigan Avenue, Wayne County	\$1,000,000
2666	OK	Construct vehicular bridge over the Burlington Northern RR at War Bonnet Crossing, Mannford, OK	\$1,000,000
2667	UT	Construction and Rehabilitation of 13th East in Sandy City	\$6,300,000
2668	VA	Construct 3.6 miles of Interstate 73 near Martinsville	\$2,000,000
2669	WA	Maple Valley SR 169 and SR 516 improvements ...	\$1,000,000
2670	FL	Construct access road to entrances to Opa-Locka Airport at Opa-Locka Airport at N.W. 135th Street and N.W. 47th Avenue, including improvements to N.W. 47th Avenue with median strip, City of Opa-Locka	\$2,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2671	UT	Expand Redhills Parkway from 2 to 5 lanes and improve alignment within rights-of-way in St. George	\$6,000,000
2672	OH	Bethlehem Township, Ohio. Riverland Avenue Bridge Replacement	\$1,300,000
2673	MD	MD295, BWI Access Improvements	\$4,740,000
2674	OR	Connect Boeckman Road to Tooze Road, Wilsonville	\$1,000,000
2675	LA	Construct I-20 interchanges at US 167 and Tarbutton Rd. Construct East West frontage roads along I-20	\$5,000,000
2676	TX	FM 937 from SH164 to FM 3371, Limestone Co	\$2,000,000
2677	MO	Construct additional exit ramp access lane from I-44 to Kingshighway and enhance Shaw Ave. corridor	\$4,820,000
2678	IN	Construction of I64 Interchange, Harrison County, Indiana	\$5,310,000
2679	OH	Bridge Replacement at SR 84 and I-90 on Bishop Road in Willoughby Hills, OH	\$500,000
2680	TN	Continue Shelby Avenue—Demonbreun Street project in Nashville.	\$6,500,000
2681	WI	Construct a bicycle/pedestrian path from Waunakee to Westport	\$2,000,000
2682	CT	Construct bike and pedestrian paths along Salem Greenway -Salem, CT	\$100,000
2683	TX	Construct I-635/35E Interchange in Dallas, TX	\$5,500,000
2684	CA	Hwy 199 Narrow Enhancement to reduce active slides that cause significant road closures on primary connecting route from US 101 to I-5	\$2,000,000
2685	MD	Construction of New Interchange at MD5, MD373, and Brandywine Road	\$10,000,000
2686	GA	I-20 West from SR 5 Bill Arp to SR 6—HOV Lanes	\$7,250,000
2687	PA	Install and construct signals, calming devices and signs in Mechanicsburg and surrounding municipalities	\$450,000
2688	FL	44th St. Extension to Golfair Blvd, Jacksonville	\$1,500,000
2689	NJ	Passaic River-Newark Bay Restoration and Pollution Abatement Project, Route 21, River Road, CR 510	\$1,000,000
2690	CA	San Gabriel Blvd and Mission Road Intersection Improvements, San Gabriel	\$200,000
2691	NY	Rehabilitate 125th Street Corridor from Old Broadway to Marginal Street/Waterfront	\$2,000,000
2692	MI	Repair M-10 corridor from I-696 to downtown Detroit	\$1,000,000
2693	FL	Capital Circle Northwest, Tallahassee	\$10,000,000
2694	TN	Installation of Intelligent Transportation System on various major routes in Memphis	\$2,000,000
2695	MI	Planning and Engineering for The American Road, The Henry Ford Museum, Dearborn	\$1,500,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2696	TX	Reconstruct Ella/Wheatley from Little York to West Gulf Bank	\$1,250,000
2697	NY	Implement Improvements for Pedestrian Safety in Richmond County	\$1,000,000
2698	FL	Palm Bay Parkway from Emerson Drive to US 192, Palm Bay, FL	\$1,000,000
2699	CA	Construct the Los Angeles River bicycle and pedestrian path in the San Fernando Valley	\$575,000
2700	TX	Construct Santa Fe Trail DART LR overpass from Hill St. to Commerce St. along abandoned Santa Fe Rail right of way in Dallas	\$1,400,000
2701	CA	Construct Route 101 bicycle/pedestrian overpass at Millbrae Ave for the San Francisco Bay Trail ...	\$1,000,000
2702	GU	Guam Mass Transit Authority Acquisition of transit vehicles for disabled persons	\$400,000
2703	LA	New Iberia Rail Grade Separation	\$2,000,000
2704	PA	Design, engineering, ROW acquisition & construction of streetscapping enhancements, paving, lighting, safety improvements, parking & roadway redesign in Ashley Borough, Luzerne County	\$200,000
2705	MN	Reconstruct Grand Avenue (from Central Ave to 59 Ave W), Central Ave (from Grand Ave to I-35) and Bristol Street (from Central Ave to Grand Ave), Duluth	\$750,000
2706	TN	Plan and construct a bicycle and pedestrian trail, Cannon County	\$100,000
2707	TX	Develop, deploy and integrate municipal ITS in San Antonio	\$3,200,000
2708	TN	Jefferson, Hamblen Counties, Tennessee SR-66 relocation	\$2,000,000
2709	MD	Rehabilitate Pennington Avenue Drawbridge in Baltimore	\$1,500,000
2710	PA	Construction of I-79 to Mon-Fayette Section of Southern Beltway, Pittsburgh, Pennsylvania	\$1,000,000
2711	FL	Springfield Rd. Improvements, Jacksonville	\$1,500,000
2712	LA	Elimination of highway-rail grade crossings along Louisiana and Delta railroad	\$1,000,000
2713	CA	Conduct necessary planning and engineering and implement comprehensive Corridor Management Plan for Arroyo Seco Historic Parkway, Los Angeles	\$1,400,000
2714	FL	Plant City Traffic Management System	\$2,000,000
2715	GA	SR 347 widen-new construction from I-985 to SR 211, Hall County, Georgia	\$10,000,000
2716	WA	SR28 and SR285 Sellar Bridge Improvements: ramp & roadway network improvements at the west end and a new lane on the Sellar Bridge	\$5,000,000
2717	NY	Stabilize Poughkeepsie Railroad Bridge and construct a pedestrian walkway linking the two sides of the Hudson River, Poughkeepsie	\$1,092,500

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2718	WA	International Mobility and Trade Corridor Project for Whatcom County	\$1,100,000
2719	CA	State Route 76 Road Widening, Melrose Drive to Interstate 15	\$5,000,000
2720	NJ	Streetscape Improvements to Clements Bridge Road from Newton Avenue to New Jersey Turnpike, Barrington	\$500,000
2721	FL	Construct Eastern Connector from SR 417 to I-95, Volusia & Seminole Counties Florida	\$1,000,000
2722	GA	Construction of the McIntosh Path on SR 99, 7.15 miles between Darien, Georgia and the Sapelo Island Visitor Center	\$200,000
2723	AL	Construction of Sulphur Springs Road Bypass in City of Hoover, Alabama	\$5,000,000
2724	AZ	Pliocene Cliffs reconstruction between Wikieup and the Santa Maria River	\$1,000,000
2725	MN	Construct roadway improvements to CSAH 76, Little Falls	\$1,064,000
2726	IN	Study alternatives along 2 miles of railroad to eliminate in-town highway-rail crossings to improve safety and reduce congestion in Delaware County	\$150,000
2727	NV	Design and construct separation of rail-highway crossings in downtown Reno	\$1,000,000
2728	NJ	Maple Shade Township Streetscape Improvements of Mill Road, Rudderow Ave., North & South Coles Ave. and Schoolhouse Lane	\$1,000,000
2729	WA	Conduct study for I-5 and SR503 interchange	\$300,000
2730	WA	Construct Webber Canyon Road realignment at I-82 Kiona-Benton interchange	\$3,500,000
2731	TX	Downtown Streetscape Improvements in Beaumont, Texas	\$640,000
2732	NY	Improve Traffic Flow on Lefferts Boulevard by Rehabilitating Facilities Surrounding LIRR/Kew Gardens Eastbound Station	\$500,000
2733	NM	Perform highway beautification to the recently reconstructed Interstate 40 Interstate 25 Interchange	\$800,000
2734	TX	Reconstruct interchange at IH 10 and FM 364, Chambers County, Texas	\$1,000,000
2735	CA	SR 52 East Improvements (San Diego)	\$6,000,000
2736	OR	Study to evaluate alternatives in support of an eventual Astoria bypass, Astoria	\$250,000
2737	GA	Commission a study and report regarding the construction and designation of a new Interstate linking Savannah, Augusta, & Knoxville	\$400,000
2738	VT	Construction of the St. Albans, Vermont intermodal connector roadway with I-89 for the City of St. Albans	\$1,200,000
2739	OR	I-5-Highway 214 interchange improvements, Woodburn	\$1,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2740	OR	Construction of transportation facilities at the Tualatin River Wildlife Refuge	\$800,000
2741	WY	I-80 Rock Springs Marginal	\$1,900,000
2742	PA	Improvements to Route 11 and access to I-81	\$1,000,000
2743	IL	Improve safety of a horizontal curve on Clarksville St. .25 mile north of 275th Road in Grandview Township, Edgar County, Illinois	\$88,000
2744	UT	Provo Reservoir Canal Trail, Utah	\$1,000,000
2745	MO	South County Riverfront Access and Trails Project, Lemay	\$4,000,000
2746	AK	Road improvements in the City of Fairbanks	\$5,000,000
2747	MD	Construct Ferry Terminal, Somerset County, Maryland	\$1,000,000
2748	MS	Plan and Construct two lanes to SR-6 from SR 342 to Alabama state line	\$4,000,000
2749	CA	Construct bypass along Hwy 101 around Willits, CA to reduce congestion, improve air quality and enhance economic lifeline of No. Coast	\$5,000,000
2750	CA	Engineering support to I-5 Joint Powers Authority to widen I-5 freeway and improve corridor arterials from I-710 to Orange County line	\$150,000
2751	LA	Kerner Bridge, Bayou Barataria	\$2,100,000
2752	WA	Renton, WA SR 167 HOV, Strander Boulevard Connection	\$1,000,000
2753	NJ	Sussex County, NJ Vernon Township, Mountain Creek Rt. 94 Traffic Calming, Ped. Safety and Traffic Congestion, Circulation Improvement	\$3,000,000
2754	PA	Linglestown Square, roadway and intersection improvements, Lower Paxton Township	\$2,800,000
2755	MD	Rehabilitate road including bridges over CSX tracks in Baltimore	\$3,000,000
2756	WA	Extend 18th Street between 87th Avenue and NE 192nd Avenue in Vancouver	\$1,000,000
2757	TX	Implement repairs on Old Pleasanton Road Bridge in Atascosa County	\$403,000
2758	CA	Hazel Avenue Improvements, U.S. Highway 50 to Madison Avenue	\$3,000,000
2759	MI	Menominee County, County Road 557 Bridge Replacement over the Big Cedar River	\$280,000
2760	OH	Massillon, Ohio. Tremont Avenue Bridge Rehabilitation	\$720,000
2761	MI	Montmorency County, Reconstruction of County Road 612 from W. County Line to County Road 491	\$800,000
2762	CA	Conduct traffic study of proposed realignment of Nutwood Ave in Fullerton	\$500,000
2763	NM	Planning, design and construction of bikeways and walkway at the City of Santa Fe's downtown railyard redevelopment project	\$2,000,000
2764	GA	Streetscape-Bainbridge	\$250,000
2765	PA	Construct S.R. 706 Corridor, Susquehanna County, Pennsylvania	\$2,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2766	NY	Town of North Salem reconstruction and repaving of Keeler Lane	\$150,000
2767	FL	Conduct planning and engineering for US 17 widening and improvements in Hardee County, Florida	\$3,000,000
2768	IL	Traffic Signalization, Matteson	\$907,500
2769	MS	Upgrade roads in Kilmichael, Montgomery County	\$400,000
2770	NC	Upgrade US 220 to I 73 74 interstate standards in Montgomery County	\$2,000,000
2771	WA	US 2/Sultan Basin Road Improvements in Sultan	\$600,000
2772	TX	Add 2 lanes to existing facility from Victoria County Line to 1.9 Miles West of SH 35 in Port Lavaca	\$1,000,000
2773	FL	A1A Transportation Enhancements, Daytona Beach	\$1,000,000
2774	MI	City of Menominee, Resurface Hattie Street Bridge deck 250 feet from 9th avenue in Menominee to Riverside Avenue in Marinette, WI	\$225,000
2775	TN	eliminate blockage of two lanes on Gay Street in Knoxville, TN, to accomodate loading dock	\$2,000,000
2776	MI	Emmet County, Ultra thin demonstration project resurfacing of Mitchell Road from the City of Petoskey limits east to Division	\$60,000
2777	NY	Gowanus Expressway Project	\$500,000
2778	PA	Design, engineering, ROW acquisition & construction of streetscapping enhancements, paving, lighting, safety improvements, parking & roadway redesign in Moosic Borough, Lackawanna County	\$200,000
2779	AL	Expand to 4 lanes on US-278 from I-65 to US-231	\$3,000,000
2780	IL	Preconstruction and construction McCarthy Road, Bell Road to US 45 and 123rd Street US 45 to 86th Avenue in Palos Park	\$600,000
2781	WY	Riverton: Reconstruct HWY 26- Main St	\$1,100,000
2782	MA	Somerville Bicycle Path Improvements—Cedar Street to Central Street	\$1,000,000
2783	MI	US 31 improvements and relocation between Holland and Grand Haven	\$9,450,000
2784	PA	Replace Messinger Street Bridge in the Borough of Bangor	\$1,000,000
2785	NY	Owego, Construct pedestrian waterfront walkway ...	\$1,250,000
2786	KY	Reconstruct US 127 from Hustonville Road to the Mercer County Line, Boyle County	\$1,500,000
2787	PA	Construction of an intermodal facility in Altoona, Pa	\$1,500,000
2788	CA	Design and construct access improvements in North Central Business District, Sacramento	\$8,000,000
2789	NC	Construction of the southbound lane of US 321 bridge replacement over the Catawba River	\$6,000,000
2790	FL	Grand Lagoon Bridge Replacement Project. The replacement of a two lane bridge with a four lane bridge	\$6,500,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2791	FL	Construct SR 9B Extension, St. Johns County, Florida	\$4,400,000
2792	AL	Design and construct a 4-lane highway from Muscle Shoals, AL to I-10	\$1,000,000
2793	IN	Improve SR 9 Greenfield Corridor, Indiana	\$500,000
2794	NJ	Interstate 280 Interchange Improvements, Harrison	\$9,000,000
2795	KY	Construct I-66 east of Somerset, Kentucky in Pulaski County to I-75 at London, Kentucky	\$7,000,000
2796	VA	Plan, Design, and Construct improvements to Virginia Beach Blvd in Virginia Beach and Norfolk	\$500,000
2797	PA	Fayette County, Pennsylvania, State Road 21 Improvements	\$2,000,000
2798	ME	Replacement of Waldo-Hancock Bridge	\$16,000,000
2799	CT	Reconstruct and widen Homer St and Chase Ave in Waterbury from Waterville Ave to Nottingham Terrace	\$1,500,000
2800	FL	Construct new east-west road from the intersection of Beeline Highway and PGA Boulevard west to Seminole Pratt Whitney Road	\$1,000,000
2801	WI	Enhance West Silver Spring Ave with lighting enhancement, crosswalk improvements, signage, landscaping, Milwaukee	\$400,000
2802	NY	Completion of 1.6 mi trail network in the Utica Marsh, NY	\$124,000
2803	TX	Construct I635-I30 Interchange, Dallas, Texas	\$12,000,000
2804	IL	Establish transportation museum on Navy Pier, Chicago	\$500,000
2805	CA	Establish I-15 Interchange at Nisqualli and Mojave River crossing in San Bernardino County	\$1,500,000
2806	MA	Massachusetts Bay Transportation Authority Secure Station, Boston	\$1,000,000
2807	FL	Construct bridges on SR710 in Palm Beach County	\$2,000,000
2808	PA	Reconstruct intersection of SR 51 and Franklin Ave, Beaver County	\$2,150,000
2809	NJ	Rehabilitation existing structure at the Bridge Street bridge over the CSX Railroad Trenton Line in Manville, NJ	\$500,000
2810	OR	Repair and recoat logging bridge over Highway 99E, Canby	\$150,000
2811	CA	San Gabriel Blvd Rehabilitation Project—Broadway to Las Tunas, San Gabriel	\$200,000
2812	CA	Signal upgrades on Avenida de las Flores, Melinda Road, Avenida de las Banderas, and Alma Aldea, Rancho Santa Margarita, California	\$125,200
2813	CA	Construct State Route 905 to connect the Otay Mesa Port of Entry to Interstate 805, San Diego	\$9,000,000
2814	MA	Crosby Drive Improvement Project	\$1,000,000
2815	WI	Construct North Shore Extension of Friendship State Trail, Calumet and Winnebago Counties, Wisconsin	\$350,000
2816	AR	Construct and rehabilitate Fayetteville Expressway Economic Development Corridor	\$5,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2817	PA	Armstrong County, Pennsylvania, construction of the Freeport Bridge	\$2,000,000
2818	IL	Road extension for Redco Drive to Skyline Dr, Williamson County	\$1,000,000
2819	CA	Rosecrans Avenue and Bridge Arterial Reconstruction Project, Compton	\$3,000,000
2820	MA	Canalside Rail Trail Construction of the Canalside Rail Trail, Deerfield & Montague	\$1,000,000
2821	CA	Conduct study and construct Daggett Road, Port of Stockton, CA, Access Project	\$5,000,000
2822	WI	Construct a bicycle/pedestrian path, and two bridges across Starkweather Creek, Madison	\$2,000,000
2823	GA	Construct City of Fayetteville, Ga. School Access Bike Ped Project	\$625,000
2824	TN	Sevier County, Tennessee SR 449 extension	\$500,000
2825	GA	SR 133 south bound lane bridge replacement over the Georgia Florida Railnet line, Dougherty County	\$1,000,000
2826	CA	Construct grade separation on State Street and Cajon Boulevard along BNSF tracks in San Bernardino	\$2,000,000
2827	WA	Construct SR 9 Pedestrian Overpass in Arlington ..	\$800,000
2828	CA	Implement streetscape improvements along Wilbur Avenue to enhance traffic and pedestrian safety	\$100,000
2829	MD	I95, I495, MD5 Branch Avenue Metro Access	\$4,000,000
2830	TN	Improving Vehicle Efficiencies at At-Grade highway-Railroad Crossing in Loudon, TN	\$57,000
2831	MO	I-470, I-435 & Rt 71 Completion of Interstate realignment	\$3,000,000
2832	PA	Ridge Avenue Revitalization project in conjunction with Roxborough Dev. Corp. for scenic enhancements & pedestrian safety improvements along a heavily traveled thoroughfare	\$1,000,000
2833	PA	Corridor improvements for PA 72 from PA 283 to PA Turnpike	\$600,000
2834	AR	Construction of I-49, Highway 71: Highway 22 to Highway 71 near Jenny Lind	\$5,000,000
2835	CA	Provide landscape enhancement of an existing open culvert on Atherton Street, Long Beach	\$500,000
2836	NY	Rehabilitate Guy Lombardo Avenue and construct drainage improvements and new sidewalks and curb cuts in Freeport, NY	\$1,000,000
2837	IA	I 35 interchange improvements, Ankeny	\$4,500,000
2838	PA	Improve Freemansburg Avenue and its intersections at Route 33	\$2,000,000
2839	NJ	Pedestrian facilities and street lighting on Route 551 from Route 130 to Chestnut Street, Brooklawn	\$400,000
2840	IL	I-57 and I-294 Interchange	\$3,000,000
2841	FL	New Kings Rd. Pedestrian Overpass & Enhancements, Jacksonville	\$1,000,000
2842	TX	Grimes Co., TX Bridge Improvement Project	\$500,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2843	CA	Crenshaw Blvd. Rehabilitation, Maricopa St. to Sepulveda Blvd., City of Torrance	\$1,000,000
2844	VA	Engineering and Right of Way for Interstate 73 in Roanoke County	\$1,500,000
2845	GA	Johnson Ferry Road Glenridge Drive Widening, Abernathy Road to Hammond Drive	\$2,000,000
2846	GA	Install walkways, bridges, lighting, landscaping in Water Works Park and south along river through Ocmulgee Monument and Central City Park	\$6,020,083
2847	OH	Intersection improvements and related road improvements in the City of Chardon, OH	\$612,000
2848	WV	Construct Coalfields Expressway	\$7,200,000
2849	CA	Improve pedestrian and biking trails within East Bay Regional Park District, Contra Costa County	\$1,000,000
2850	MA	Berkshire County Bike Paths, Design & Construction	\$5,000,000
2851	MI	Ogemaw County, Overlay of Fairview Road to improve network of all-season truck routes	\$369,600
2852	VA	Old Mill Road Extension	\$1,000,000
2853	PA	Construct Campbelltown Connector, Lebanon County	\$2,000,000
2854	NJ	Construct Rt 40 Reconstruction from Rt 77 to Elmer Lake, Elmer, Salem County	\$3,000,000
2855	OH	Design and Construct Riverwalk and adjacent facilities, Warren, Trumbull Co	\$1,500,000
2856	CA	Realign SR 4 within the City of Oakley	\$2,000,000
2857	IL	Construct recreational trail from Spring Creek Forest Preserve to Greene Valley Forest Preserve in DuPage County, IL	\$400,000
2858	MN	Construct trail link between Bruce Vento Regional Trail and Mississippi River Corridor in St. Paul	\$1,500,000
2859	FL	Construct Interstate-4/ Crosstown Connector	\$1,000,000
2860	UT	Add lights to road from Halchita to Mexican Hat on Navajo Mountain	\$200,000
2861	CA	Construct off ramp at Interstate 8/Imperial Avenue Interchange, El Centro	\$3,000,000
2862	VA	Cranesnest Trail—construction of hiking, biking, horse trail from Route 83 to Cranesnest Campground	\$650,000
2863	NC	Durham and Chatham Counties, NC Completion of American Tobacco Trail	\$2,000,000
2864	TX	Austin to Manor Rail Trail, Texas	\$2,000,000
2865	PA	Eliminate existing rail line in Indian, PA to eliminate 37 at grade crossings and reconstruct the line outside the town from Glenn Lock to Middletown	\$4,000,000
2866	MN	Extend Cuyuna Range and Great River Road Trails, Aitkin	\$400,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2867	NY	Conduct planning, engineering, and eventual construction of Rte. 5 in City of Oneida, from Seneca St. to county line	\$500,000
2868	NY	Great Neck Road Traffic Calming Project	\$400,000
2869	NJ	Design and construct new streetscape through Irvington Center	\$1,000,000
2870	IL	Construct connector road between Collinsville Rd to IL3/North 1st St, St. Clair County	\$6,000,000
2871	NJ	Carteret, NJ Ferry Service Terminal	\$2,100,000
2872	AL	Construct I10-US231 Connector from Dothan, AL to Florida	\$2,000,000
2873	OH	Bicycle Paths for the Magic Mile in Willoughby, OH	\$800,000
2874	NC	Construct Interstate 73 74 in Montgomery County and Richmond County, North Carolina	\$18,000,000
2875	NY	Construct Phase II I-90 Connector ITS Laboratory in Rensselaer County	\$6,000,000
2876	NC	Design and construct Airport Area Roadway Network	\$2,800,000
2877	WA	Engineering and Construction of the Centennial Trail in Snohomish	\$1,000,000
2878	OR	I-5 Beltline Interchange	\$20,000,000
2879	IL	Extension North from Rt. 30 to Wheeler Road and Galena Boulevard extension west of Rt. 47 in Sugar Grove, IL	\$4,760,000
2880	NY	Newburgh, Improve East End Roads	\$1,863,500
2881	ME	Construction of the Kennebec River Rail Trail	\$400,000
2882	CA	Construct Bristol Street multi-modal corridor in Santa Ana	\$3,000,000
2883	CA	Construct pedestrian sidewalk enhancements in Bellflower	\$500,000
2884	KS	Improvement and expansion for 2.7 miles of K-18 in Geary County	\$14,500,000
2885	CA	I-110/SR 47/Harbor Blvd. Interchange Improvements, San Pedro	\$5,000,000
2886	MA	Oxbow National Wildlife Refuge, Design and construction of a Visitor Contact Station	\$2,000,000
2887	AL	Pedestrian Improvements for Pell City, AL	\$200,000
2888	WI	Rehabilitate Highway 51 between CTH S and USH 8 in Lincoln County	\$2,000,000
2889	OH	Rehabilitate tunnel and bridge on National Road Bikeway in St. Clairsville	\$700,000
2890	MD	Pennington Ave Drawbridge, Baltimore	\$1,000,000
2891	MA	Rehabilitation and paving of Parker River Road ...	\$250,000
2892	MN	Reconstruct CSAH 17 between Itasca CR 341 and the Scenic State Park entrance to improve safety and structural integrity	\$3,200,000
2893	OH	Grading, paving, roads for the transfer of rail to truck for the intermodal facility at Rickenbacker Airport	\$5,000,000
2894	PA	Relocation of PA 52 at Longwood Gardens	\$1,000,000
2895	TX	Construct Interstate 35 improvements in Buda	\$1,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2896	TN	improve streetscape and signage, McMinn County, TN	\$300,000
2897	OR	Culvert Replacement, Sweet Home	\$130,000
2898	AL	AL 5 Widening in Bibb County	\$3,000,000
2899	CO	Design and build a multimodal corridor on US 36	\$5,000,000
2900	WA	Development of highway-rail crossings in Spokane County, WA and Kootenai County, ID	\$1,000,000
2901	OH	Acquire right of way land along US 24, Lucas County	\$1,000,000
2902	IL	Improve Streets, Westchester	\$150,000
2903	NY	Enhance road and transportation facilities in the vicinity of W. 65th St and Broadway, New York City	\$3,000,000
2904	TN	Construction of Knob Creek Road in Washington County, Tennessee	\$500,000
2905	TN	improve streetscape and pavement repair, Loudon County, TN	\$300,000
2906	CA	Improvement of intersection at Inglewood Ave and Marine Ave to reduce congestion	\$3,600,000
2907	HI	Interstate Route H1 rehabilitation, Kaahumanu Street to Kaimakani Street	\$7,430,000
2908	ID	Construct Interchange on I-84 at Ten Mile Rd, Meridian, Idaho	\$2,000,000
2909	NJ	Pedestrian facilities and street lighting on Haddon Avenue from Voorhees Township Line to Bate Avenue, Berlin Township	\$347,120
2910	WA	267th Street NW Pedestrian Path in Stanwood	\$400,000
2911	KY	Replace US 68 and US 150 Bridge over Chaplin River, Perryville	\$750,000
2912	UT	Geveva Rd-Provo Center Street, Orem 1600 North to I-15 FWY, Provo-widen from 2 to 4 lanes	\$7,500,000
2913	IL	Construction of a new roadway and grade separation of the UP West Line east of Elburn	\$7,000,000
2914	VA	Haymarket, VA. Washington Street improvements	\$500,000
2915	NJ	Improvements to implement the Readington Tewksbury Transportation Improvement District	\$500,000
2916	IL	Allow IDOT to proceed with engineering and construction of Airport-Lockport Rd and Illinois Route 126 interchanges on I-55	\$1,750,000
2917	AR	Caraway Bridge Overpass	\$7,000,000
2918	OH	Construction of an Intermodal Facility at University Circle in the City of Cleveland	\$500,000
2919	PA	Jeannette Truck Route	\$500,000
2920	MD	MD45, Cavan to Ridgley Roads	\$5,520,000
2921	MD	MD 30 Hampstead Bypass	\$1,000,000
2922	MI	Monroe Area Highway-Railway Crossing Improvements, City of Monroe	\$6,400,000
2923	OH	Obtain right-of-way and construct the 161,37 widening project in Franklin and Licking Counties, Ohio	\$2,000,000
2924	CT	Enfield, Connecticut Make improvements to South Maple Street Bridge	\$1,910,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2925	NY	Conduct studies, if necessary, and construct infrastructure projects for Governor's Island	\$2,000,000
2926	NY	Harlem River Park and Bikeway	\$1,000,000
2927	CT	Make Improvements to Plainfield Cemetary Road ..	\$300,000
2928	SC	Construct grade separation and interchange improvements at U.S. 521, Lancaster County	\$1,000,000
2929	NJ	Replacement of the Magnolia Avenue Bridge over Route 1 & 9	\$1,000,000
2930	IL	Resurfacing and restriping Euclid Ave between Walnut Ave and Douglas Ave in Arlington Heights	\$300,000
2931	MI	Resurfacing of Frazho Road in Roseville	\$1,280,000
2932	CA	Construct 213th Street pedestrian bridge to provide safe passage for pedestrians and wheelchairs, Carson	\$1,000,000
2933	MO	Conduct impact studies for Missouri River Bridge siting in Kansas City, MO	\$5,000,000
2934	CA	Construction of Lenwood Road Grade Separation in Barstow, CA	\$1,500,000
2935	PA	Improvements to Frankford Avenue from Cottman Avenue to Harbison Avenue	\$1,250,000
2936	IN	Revelop Hazeldell Road, Hamilton County, Indiana	\$500,000
2937	AK	Road Improvements and upgrades to service road areas and miscellaneous projects within Northstar Borough	\$5,000,000
2938	OH	Rehabilitation or replacement of highway-rail grade separations along the West Central Ohio Port Authority route in Champaign and Clark Counties	\$610,000
2939	MI	Otsego County, Resurfacing and widening of Parmater Rd	\$368,000
2940	WA	Realign West Main Street through Kelso	\$2,000,000
2941	TN	Reconstruct State Route 109 from I-40 in Wilson County to Portland in Sumner County	\$1,000,000
2942	PA	Redesigning the intersection of US322/High Street and Rosedale Ave	\$1,000,000
2943	DE	Replacement of the Indian River Inlet Bridge, Sussex County Delaware	\$4,000,000
2944	FL	Construct link from I-95 to I-10 through Clay County with terminus points SR23 to CAR739B	\$3,000,000
2945	MN	Construct ramps and new bridge over Interstate 35 at CSAH 17, and reconstruct CSAH 17 from west County Line to CSAH 30, Chisago County	\$900,000
2946	CT	Conduct multi-modal study of Route 8 corridor between Beacon Falls-Seymour town line and exit 40	\$1,000,000
2947	AR	Hwy 65 improvements in Van Buren County, including construction of passing lanes, bridge improvements, intersection improvements and other roadway improvements	\$1,200,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2948	AZ	Construct sidewalks along White Spar Road -Prescott, AZ	\$500,000
2949	NY	Construction of Pedestrian and Bike Trail campus access & improvements, St. Bonaventure, NY	\$500,000
2950	NY	Eastern Laurelton Area Improvements, Queens, New York	\$8,600,000
2951	NY	Bicycle and pedestrian safety improvements, Main Street, Riverhead	\$1,200,000
2952	AL	Construct County Road 83 corridor from Foley Beach Express to I-10	\$10,000,000
2953	PA	Design and construct improvements to PA 465 from Walnut Bottom Rd. to PA 641 and at I 81 Exit 44	\$3,870,500
2954	IL	Reconstruct and Widen Route 60 Bridge over I-94 in Lake Forest	\$8,000,000
2955	VA	Improve Downtown Staunton, Virginia, Streetscape	\$1,500,000
2956	PA	Route 322 Halls Run Upgrades from the intersection of Horsecreek Road to Mapleshade Road -Venango County	\$1,700,000
2957	PA	Design, engineering, ROW acquisition & construction of streetscapping enhancements, paving, lighting, safety improvements, parking & roadway redesign in Wilkes-Barre	\$2,500,000
2958	IN	SR56 Reconstruction, Aurora, Indiana	\$5,120,000
2959	MI	Study and implement transportation system alternatives in the vicinity of US31/M46	\$4,000,000
2960	MA	Longfellow Bridge Rehabilitation	\$2,500,000
2961	IL	For Village of Bolingbrook to construct Remington Blvd. extension	\$500,000
2962	AZ	Construction of Rio Salado Pedestrian Bridge in Tempe, AZ	\$3,000,000
2963	MI	Study to determine replacement options for obsolete and structurally deteriorating bridge (Trenton-Grosse Ile Bridge) including approach roadways, Charter County of Wayne	\$4,000,000
2964	PA	Mount Joy Bridge Replacement on Route 230	\$250,000
2965	CA	Modifies 9 traffic signals between Willow Road and Middlefield Road and Hamilton Avenue, Menlo Park	\$300,000
2966	OH	Summit County Engineer Reconstruct Access Roads to Cuyahoga Valley National Park	\$500,000
2967	OR	To study the feasibility of widening Hwy 26 from the Hwy 217 interchange to the Cornelius Pass exit	\$1,000,000
2968	GA	Athens-Clarke County Greenway Enhancement Project	\$2,320,000
2969	WA	Improve Wahkiakum County Ferry landing	\$200,000
2970	IL	Irving Park Bridge over the Chicago River	\$4,000,000
2971	MI	Design, right-of-way and construction of passing relief lanes and improvements necessary on M-55, between M-37 and M-115	\$2,200,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2972	NE	Design, right-of-way and construction of South and West Beltway in Lincoln, Nebraska	\$3,000,000
2973	TX	Tower 55 CMAQ Congestion and Preliminary Engineering Study	\$2,000,000
2974	NY	Town of Chester Lake, Hill Farms subdivision road improvements	\$150,000
2975	MN	Improvements on TH 169 east and west of East Two Rivers Crossing and TH 135 from Enterprise Drive to TH 169	\$2,216,000
2976	IN	Reconstruct Standard Avenue, Whiting	\$1,300,000
2977	TX	Barron Rd. Interchange at SH6 (Earl Rudder Freeway) College Station	\$3,000,000
2978	CA	Develop conceptual master plan to improve the efficiency of transportation facilities, Covina	\$215,000
2979	PA	Transportation enhancements along the Delaware Canal between Yardley, PA and Bristol, PA	\$1,000,000
2980	VA	Upgrade DOT crossing #467661K to constant warning time devices	\$171,700
2981	UT	Add lighting on Highway 262 on the Navajo Nation in Aneth	\$175,000
2982	VA	Chestnut Mountain Road—feasibility study, design and construction start for road improvement on National Forest lands	\$500,000
2983	MI	Construction of roads and trails Humbug Marsh Unit Linked Greenways System, Detroit International Wildlife Refuge	\$1,100,000
2984	TX	Construct access road connecting Port of Beaumont property on east bank of Neches River to I-10 access road east of the Neches River	\$3,120,000
2985	AR	Develop U.S. Highway 71 (I-49) to Interstate standards on new location between Mena, AR and LA state line	\$3,160,000
2986	SC	Lexington County, widen US 1 and SC 6, and improve US 1, SC 6, and US 378	\$2,000,000
2987	IL	Midlothian Road Signalization, Lake Zurich	\$600,000
2988	VA	Glen Alton—design and construction of recreation trails, access and visitor information center	\$1,000,000
2989	MI	Expansion of Cass Avenue in Clinton Township	\$9,194,000
2990	CO	Bromley Lane and US 85 interchange feasibility study and construction of needed improvements ..	\$1,000,000
2991	MD	Constructing Chestertown Trail, Chestertown, MD	\$300,000
2992	IL	Eastern Peoria Bypass	\$3,000,000
2993	VA	Conduct planning and engineering for Mayo Bridge in Richmond	\$2,000,000
2994	NY	Elevation of road and construction of drainage improvements on Sequams Lane Center and Sequams Lane West in the Town of Islip, NY	\$620,000
2995	NM	Improvements to San Juan County Road 7950	\$1,000,000
2996	WA	116th St/Interstate 5 Interchange Reconstruction in Marysville	\$1,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2997	SC	Construction of public roads at the International Center for Automotive Research and reconstruction of Fairforest Way in Greenville, South Carolina	\$5,000,000
2998	PA	Provide 4 through-lanes on PA100 by constructing two thru lanes to the east of Ludwigs Corner	\$5,000,000
2999	PA	Completion of construction of final 2 ramps of I-79 interchange with Parkway West; widening of 1 mile of Parkway West leading to ramps	\$2,000,000
3000	CA	Diamond Bar, CA Grand Avenue Rehabilitation	\$1,600,000
3001	NY	Reconfigure intersection of Ridge Street and Hallocks Mill Road & install new traffic signal	\$725,000
3002	WA	Guard Street Reconstruction Project in Friday Harbor	\$800,000
3003	CO	Roadway widening and interchange rebuilding on I-225 from I-70 to Parker Road	\$4,000,000
3004	PA	Roosevelt Boulevard improvements by the Pennsylvania Department of Transportation	\$2,500,000
3005	MN	Construct Paul Bunyan Trail Walker to Bemidji Segment	\$700,000
3006	HI	Upgrades to Farrington Highway	\$1,000,000
3007	KY	US 41A Phase II Design and Right of Way	\$3,000,000
3008	NM	US 54 Corona, Tularosa, and Vaughn Bridges Replacement and Rehabilitation	\$1,000,000
3009	OH	Construction of access road along east side of SR 8 in Summit County, OH	\$1,000,000
3010	TX	US281 from Brooks County Line to FM 3066, Brooks County	\$2,000,000
3011	FL	Construction of an interchange at Florida's Turnpike & Stirling Rd. in Broward County	\$5,538,959
3012	NY	Construction of the City of Watertown Streetscape Enhancement Project	\$2,500,000
3013	IL	Install countdown devices on pedestrian crossing signals on US Routes 12/20 and 50 in Oak Lawn	\$500,000
3014	NY	Install Improvements for Pedestrian Safety in the vicinity of St. Roberts Bellarmine	\$250,000
3015	NY	Rebuild Queens Plaza, a 250-foot wide roadway on the eastern end of the Queensborough Bridge	\$8,000,000
3016	PA	Upgrade circuit for gates and lights at Seventh Street in Emmaus, PA USDOT crossing number 592401H to constant warning time devices.	\$275,000
3017	UT	SR-158 Improvements, Pine View Dam, Weber County, Utah	\$1,100,000
3018	CA	Valley Boulevard Capacity Improvement between 710 Freeway and Marguerita Avenue, Alhambra	\$2,000,000
3019	IL	Offramp and overpass from I-57 outside of Marion and necessary connector roads	\$5,000,000
3020	AK	Construction of and improvements to roads at Alaska Pacific University	\$3,000,000
3021	SC	Upgrade of the I-95/SC 327 Interchange near Florence	\$7,500,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
3022	CA	Valley View/Stage Grade Separation Project, La Mirada and Santa Fe Springs, California	\$900,000
3023	OR	Renewal of Wooden Bridge West of Albany	\$8,000,000
3024	MI	Northville, Taft Road from 8 Mile North to city limits	\$500,000
3025	NY	Village of Pawling Rehabilitation of Grandview Ave from Lakeside to end	\$100,000
3026	SD	Regrade and resurface BIA Route #5 south of Dupree on the Cheyenne River Reservation	\$1,500,000
3027	FL	Church Street Improvements, Orlando	\$13,000,000
3028	MI	Walled Lake, Widen Maple Road, west of Decker to Welch	\$125,000
3029	AR	Washington County, Arkansas—replace and rebuild Tilly Willy Bridge	\$800,000
3030	AR	Russellville Intermodal Facility construct access roads from AR Hwy 247, purchase Right-of-Way	\$2,000,000
3031	TX	Construct IH 30 Monty Stratton Parkway Interchange in Greenville, TX	\$1,000,000
3032	PA	Design and Construction of Portzer Road Connector, Bucks County	\$2,000,000
3033	IL	For Plainfield Township Park District to construct DuPage River Bike & Pedestrian Trail linking Grand Illinois, Midewin, & I&M Canal Trails ...	\$100,000
3034	TX	Pedestrian Path and Sidewalk Improvements along US 83 in Rio Grande City	\$500,000
3035	MS	Upgrade roads at Tougaloo College	\$500,000
3036	IL	Washington Street Widening, Gurnee	\$3,360,000
3037	LA	Belle Chasse Tunnel	\$500,000
3038	FL	Implement Busch Boulevard corridor improvements to improve safety in Tampa	\$2,500,000
3039	MI	Construction of Pittsfield Greenways Bridge—non-motorized bridge enhancement onto existing Bemis Road Bridge, Pittsfield Charter Township	\$201,000
3040	NC	North Carolina. Repair and improve safety features on US Hwy 19 from Maggie Valley to Cherokee	\$8,000,000
3041	NC	Northern Loop Project, City of Wilson	\$1,000,000
3042	OR	Weaver Road Extension and Bridge Project, Douglas County	\$17,500,000
3043	MI	Complete 58 miles of White Pine Trail from Grand Rapids to Cadillac	\$1,500,000
3044	NY	Elmira Congestion Mitigation	\$2,000,000
3045	IL	Improve Roads and Bridges, Cicero	\$1,500,000
3046	MI	John-Daly Road Reconstruction—2.5 miles from northern city limit to southern city limit, Inkster	\$2,500,000
3047	UT	Construct pedestrian safety project on the Navajo Nation in Montezuma Creek	\$325,000
3048	MD	Construct MD5, Hughesville Bypass	\$10,000,000
3049	OH	Repair & Construct Rock Spring Bridge, Portage County	\$500,000
3050	RI	Replace I-195 Washington Bridge Eastbound	\$2,000,000
3051	UT	Bear River Migratory Bird Refuge Access Road Improvements, Box Elder County, UT	\$4,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
3052	MA	Reconstruction of Union St. and Rt. 138W, Holbrook	\$1,720,000
3053	MI	Replacement of the interchange at 44th Street and U.S. 131 in Grand Rapids	\$9,000,000
3054	OH	Construct interchange improvements at SR 46 and 82 in Howland Township, Trumbull Co	\$1,000,000
3055	GA	Widen and construct US 84 Connector Bypass from west of US 84 SR 119 west of Hinesville to US 84 SR 196 south of Flemington, Liberty County, Georgia	\$2,000,000
3056	IL	Project is a stand-alone roadway improvement consisting of the complete reconstruction of the roadway, The Village of Forest Park	\$1,000,000
3057	MI	Jackson Freeway Modernization Project. I-94 Modernization Project from Michigan State Route 60 [M60] easterly to Sargent Road	\$15,000,000
3058	VA	Smart Travel and Traffic Management Systems in Salem and Staunton District, Virginia	\$300,000
3059	OH	Construct Great Miami River Multi-Use Trail, Miami County, Ohio	\$1,270,000
3060	DC	Rock Creek Recreational Trail study to assess feasibility of constructing recreation trail	\$1,000,000
3061	MI	Study road runoff in Little Black Creek between U.S. 31 and Seaway Drive	\$400,000
3062	CA	Conducts environmental review of proposed improvements related to the connection of Dumbarton Bridge to Highway 101	\$500,000
3063	NY	Construction of and improvements to Union Road in West Seneca	\$1,000,000
3064	WI	Upgrade I43 between State Highway 140 and East County Line in Rock County, Wisconsin	\$3,000,000
3065	NJ	Separation of the intersection of 13th Street and the Lehigh Rail Line through bridge or tunnel in Manville, NJ	\$555,000
3066	CA	Construct parking facility and improve access to Imperial Valley Expo	\$377,500
3067	CA	Develop bicycle paths and pedestrian access to Third Avenue, Chula Vista	\$300,000
3068	IL	Upgrade County Highways 18 and 22 in conjunction with state I-57 interchange plan north of Mattoon	\$2,000,000
3069	CA	Widen & Reconfigure Sepulveda & Culver Boulevards, Culver City	\$2,740,000
3070	OH	Construct interchange or other appropriate access on IR 70 west of existing mall road exit in Belmont County	\$6,935,000
3071	AZ	Widen and expand the existing roadway and railroad overpass in the Houghton Road Corridor	\$4,000,000
3072	OK	Construction of Duncan Bypass Grade Separation	\$3,000,000
3073	SC	Pine Needles Widening & Bridge Replacement	\$3,000,000
3074	CA	Olsen Road widening and roadway improvements in Simi Valley, California	\$2,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
3075	GA	Streetscape project to upgrade sidewalks, lighting and streets, Jeffersonville	\$500,000
3076	NY	Implement Diamond Grinding Measures on I-95, I-278, Mosholu Parkway, I- 495, Grand Central Parkway, and Richmond Parkway	\$700,000
3077	MD	Upgrade Conduit System for Traffic Signal Systems, Street Lighting, and Traffic-related Video Cameras for Baltimore	\$1,300,000
3078	WA	5th Street/US 2 Signalization Improvements in Sultan	\$100,000
3079	WI	Implementation of recommendations contained in 2005 Safe Routes to School in Superior plan	\$600,000
3080	LA	Widen and improve LaPlaco Boulevard from Bayou Segnette to US90, Jefferson Parish	\$4,000,000
3081	NY	Realign Kirk Lake Drive in Carmel	\$110,000
3082	NY	Town of Somers road reconstruction	\$500,000
3083	OH	Upgrade grade crossing safety devices in Elyria and North Ridgeville	\$952,000
3084	MS	Widen and improve Martin Bluff Road, Gautier	\$3,000,000
3085	CA	Widen and reconstruct Washington Blvd from westerly city boundary at Vernon to I-5 Fwy at Telegraph Rd in Commerce	\$3,000,000
3086	CA	San Diego, CA Interstate 5, Sorrento Valley Road and Genesee Avenue Interchange Project	\$2,000,000
3087	OR	Widen I-5 between Portland, Oregon and Vancouver, Washington	\$4,750,000
3088	LA	North-South Corridor from Houma/Thibodaux to I-10	\$5,000,000
3089	GA	Warren County I-20 Frontage Road	\$3,000,000
3090	KY	Widen KY 11 from US 460 to the Mt. Sterling Bypass, Montgomery County	\$2,500,000
3091	OH	Traffic and safety improvements to county roadways in Geauga County, OH	\$1,070,000
3092	CA	Develop bicycle paths and public park space adjacent to the New River, Calexico	\$5,000,000
3093	TN	Construction of the Foothills Parkway in the Great Smoky Mountains National Park	\$7,500,000
3094	PA	Improvements to Torresdale Avenue from Harbison Avenue to Cottman Avenue	\$1,250,000
3095	GA	Butner Road and Stonewall Tell Road, Fulton County	\$1,000,000
3096	OH	Construction of highway-rail grade separations at intersections in Lima to improve motorist and pedestrian safety	\$1,250,000
3097	OR	Siuslaw River Bridge, Florence	\$4,250,000
3098	CA	Construct Cypress Avenue over-pass to separate Interstate 10 and Union Pacific Railroad tracks in Fontana	\$3,000,000
3099	CA	Modify and reconfigure Kanan Road interchange along US101 in Agoura Hills	\$5,000,000
3100	OH	Upgrade and widen intersection for SR 14 in Washingtonville	\$1,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
3101	NM	Upgrade NM 434 from Mora north to Black Lake ..	\$1,500,000
3102	NJ	Upgrade of Turnpike/Route 440 Interchange in Bayonne	\$4,000,000
3103	LA	Widen LA 18 from Northrup Grumman/Avondale Shipyards to US 90, Jefferson Parish	\$2,500,000
3104	PA	Widen PA 896 between Strasburg Borough and US 30	\$1,000,000
3105	MI	Eliminate major roadway on Cleary University campus and establish a new roadway	\$500,000
3106	PA	Reconstruction of 11 mile segment of the Lower Trail between Williamsport and Mt Edna, Blair County, Pa	\$500,000
3107	KY	Construction of interchange connecting US31W to I65 at mile marker 32 in Warren County	\$1,000,000
3108	AS	Drainage mitigation for Pago Pago village roads ...	\$1,000,000
3109	NC	Install Sugar Creek Grade Separation	\$3,000,000
3110	LA	Improvements to LA46 in St. Bernard Parish	\$400,000
3111	IN	Construct Hoham Drive Extension in Plymouth, Indiana	\$500,000
3112	OR	Construct turn lane on Gateway Boulevard, Cottage Grove	\$90,000
3113	TN	Replace Unitia Bridge in Loudon County, TN	\$900,000
3114	VA	Replacement of Robertson Bridge in Danville	\$5,450,000
3115	MA	Public Improvements to Springfield Symphony Hall	\$300,000
3116	NY	Realign Union Valley Road in Town of Carmel	\$550,000
3117	NY	Village of Pawling Improvements to Reservoir Road from State Rt 22 to Prospect St	\$125,000
3118	MS	Build connector between SR 609 and State Highway 15 near I-10, Jackson and Harrison Counties	\$3,000,000
3119	CO	I-70 West Mountain Corridor, Denver to Garfield County	\$4,000,000
3120	CA	Completion of Interstate 5 and Interstate 8 Connectors, San Diego	\$6,000,000
3121	FL	Construct US 1 interchange at CR 210, St. Johns County, Florida	\$6,600,000
3122	OH	Construct roadway improvement project along State Routes 37 and 78 through Fairfield, Perry, Morgan, Noble, Monroe Counties	\$250,000
3123	IL	Construct I-57 Bridge Overpass, City of Markham	\$600,000
3124	NJ	Design, plan and build a permanent pedestrian/bicycle path along the banks of the Elizabeth River	\$500,000
3125	NJ	Improve the US Interstate 78 Interchange at exit 15 in Franklin Township, Union Township, and Town of Clinton	\$1,000,000
3126	CA	Reconstruct Rosecrans Av. and construct bus pads from Garfield Av. to Century Bl. in Paramount	\$400,000
3127	TN	Bristol, Tennessee highway-RR crossing grade improvement—USDOT#731120J	\$100,000
3128	CO	Glenwood Springs South Bridge (new, off-system bridge)	\$6,500,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
3129	NJ	Improvements of Newark and First Streets in Hoboken	\$300,000
3130	OH	Construct I-70 interchange at Burnett Road, Springfield	\$1,250,000
3131	MN	Construction of Gitchi-Gami State Trail from Silver Bay to Tettegouche State Park	\$1,500,000
3132	CA	Improvements/Widening of SR 99 from Goshen to Kingsburg in Tulare County, California	\$6,200,000
3133	CA	Design and implement Harbor Boulevard ITS in Garden Grove	\$1,000,000
3134	WI	Complete the Glacial Drumlin Trail, from Madison to Waukesha	\$300,000
3135	PA	Design and construct turn lanes, signal upgrades and improvements at PA 34 and 174 intersection	\$580,000
3136	PA	Design, engineering, ROW acquisition & construction of streetscapping enhancements, paving, lighting, safety improvements, parking & roadway redesign in Wright Township, Luzerne County	\$200,000
3137	PA	I-70-I-79 South Interchange Redesign and Upgrade	\$2,000,000
3138	PA	Chicora, PA Butler County, PA Rail Bridge Replacement Project	\$1,200,000
3139	CA	Improve Access Road to Beale Air Force Base (Smartville Road)	\$3,750,000
3140	CA	Interstate 215, Los Alamos Road Interchange Project	\$2,000,000
3141	NE	Missouri River Bridges between US-34, I-29 in Iowa and US-75 in Nebraska	\$4,200,000
3142	AL	Huntsville Southern Bypass planning and engineering	\$3,000,000
3143	MO	Redesign and reconstruct I-170 interchange at Ladue Rd	\$400,000
3144	NY	Construct Interstate 87 Exit 3 Airport Connector in Albany	\$3,000,000
3145	CA	Citywide traffic signal upgrades requiring the installation of hardware and software at 9 major intersections, Palo Alto	\$500,000
3146	OH	Construct replacement of Morgan Township Road 209 between SR 60 and SR 78 in Morgan County	\$3,300,000
3147	GU	Construct Route 3A Extension, Municipality of Yigo	\$3,000,000
3148	NY	Construct the Setauket/Port Jefferson Greenway Trail Project	\$5,000,000
3149	AR	Develop a railroad overpass connecting U.S. Highway 67 and U.S. Highway 371 in Prescott	\$2,640,000
3150	FL	Construct SR 312 Extension Bypass, St. Johns County, Florida	\$5,300,000
3151	GA	Construct Welcome Center, and pedestrian trail, Abbeville	\$500,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
3152	VA	Improve Erickson Avenue and Stone Spring Road connection	\$750,000
3153	TX	Reconstruct Loop 12 IH 35E and SH 183 west extension to MacArthur, Irving, Texas	\$5,000,000
3154	OR	Completion of the first of three phases of trails in the Regional Trails Program	\$4,800,000
3155	MN	Construct bridge for Paul Bunyan Trail over Excelsior Road, Baxter	\$1,500,000
3156	KY	Reconstruct US-127 at the US-127 and US-127 North Bypass, Mercer County	\$600,000
3157	CA	Rehabilitate street surface of Addison St. between Kester Ave. and Lemona Ave	\$47,000
3158	IL	City of Springfield, IL for improvements to Cockrell Lane	\$952,572
3159	OH	Repair/Construct Mill Street Bridge, Akron	\$1,800,000
3160	MI	Resurface Caseville Road in Huron County	\$192,000
3161	PA	River Trail and Esplanade Development at the Southside Riverfront Park	\$750,000
3162	IL	Construct access roads to National Great Rivers Research Center	\$1,400,000
3163	IL	Construct Roadway from Mississippi River Barge Dock to IL Rt 3-IL Rt 157, Cahokia	\$1,750,000
3164	PA	Context Sensitive Design Elements for the Market Street Bridge, Lycoming County, PA	\$1,000,000
3165	NY	Implement Pedestrian Safety Improvements on Queens Boulevard	\$500,000
3166	NV	Design and construct interchange on I-15 from mile post 117.5 to mile post 118.5 in Mesquite ...	\$1,000,000
3167	CA	Construct grade separations at Washington Ave & UPRR crossing east and Washington Ave & La Cadena Drive in Colton	\$500,000
3168	MD	Intercounty Connector	\$6,000,000
3169	MA	Charlemont Bridge, Route 2, Charlemont	\$4,800,000
3170	MN	CSAH 47 rehabilitation from 165th Ave to TH 25, Morrison County	\$440,000
3171	MS	Improve Old Augusta Road and construct Kaiser Road, Perry County	\$3,500,000
3172	PA	Reconstruction of US30 from PA10 to Business US30 including travel lanes, shoulders, etc	\$5,000,000
3173	NY	Route 78 (Transit Road), Genesee Street to Main Street, Towns of Amherst, Cheektowaga and Clarence in Erie County	\$3,000,000
3174	NY	Southtowns Connector—Construct improvements to NY Route 5 from Coast Guard Base to Ohio Street, including Fuhrmann Boulevard	\$10,000,000
3175	CA	SR 91 I 605 Needs Assessment Study, Whittier, CA	\$16,000
3176	GA	SR70/Fulton Industrial Boulevard widening from Camp Creek Parkway to the SCL RR, Fulton County	\$1,500,000
3177	MO	Ste. Genevieve Co., Missouri Rt. 61 bridge replacement over Establishment Creek	\$1,500,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
3178	MN	Construction of intersection at County Road 5 and TH13 in City of Burnsville	\$1,000,000
3179	GA	SR 307 overpass over Georgia Port Authority rail line, Savannah	\$4,000,000
3180	MO	Study railroad reconfiguration to eliminate highway crossings in and around Springfield, MO	\$1,000,000
3181	NC	Construct relocated NC 16 in Lincoln and Catawba Counties, NC	\$1,000,000
3182	IL	Construction of highway approaches to the Sullivan Road bridge in Aurora, IL	\$1,600,000
3183	IL	Engineering and construction of 15.1 mile Alliance trail between Lock 14 in LaSalle and Lock 2 in Bureau Junction	\$1,000,000
3184	CA	Construct parking facility and improve museum pedestrian access from trolley station, San Diego	\$1,000,000
3185	PA	Relocation and upgrade of Beaver Hollow Rd, Beaver County, PA	\$1,650,000
3186	MN	TH36-Stillwater Bridge; Acquisition of ROW	\$5,000,000
3187	IL	To construct Veterans Memorial Drive Extension. Will link Mt. Vernon on the east side of I-57 with incorporated area lying west	\$1,000,000
3188	MN	I-494 US169 Interchange Reconstruction, Twin Cities Metropolitan Area, Minnesota	\$5,000,000
3189	AL	Jackson County Industrial Park Access Road, Hollywood	\$1,000,000
3190	FL	4 lane Archer Road from SW 62nd to SW 24th Ave. , Gainesville	\$3,000,000
3191	AK	Construct access road and a bridge crossing the Naknek River terminus points in South Naknek-King Salmon Highway	\$3,000,000
3192	NY	Route 303 Orangeburg Road and Route 340 and Erie Street intersection	\$1,000,000
3193	MS	Upgrade roads in Port Gibson (U.S. Hwy 61), Claiborne County	\$400,000
3194	GA	Construct Horsemamp Road Interchange on I-95 in Camden County, Georgia	\$1,000,000
3195	MO	Upgrade Route 94 in St. Charles County from East of Harvester road to West of Mid-Rivers Drive ...	\$11,000,000
3196	OH	Upgrade Rt. 665 Bridge over I-71 and widen I-71 between Rt. 665 and I-270 by one lane in each direction in Grove City, OH	\$5,000,000
3197	NY	Village of Highland Falls repaving and sidewalk construction of Berry Hill Road	\$75,000
3198	PA	Westmoreland County, Pennsylvania, four lane limited access facility connecting State Road 119 to the Pennsylvania Turnpike (Sony Connector)	\$2,000,000
3199	NJ	Edison National Historic Site Traffic Improvement Project to improve traffic flow and promote safety	\$240,000
3200	IL	Construction of Eldamain Road over the Fox River	\$2,500,000
3201	CA	Construction of a traffic signal at the intersection of Oso Ave. and Vanowen St	\$125,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
3202	OR	Reroute U.S. 97 at Redmond, OR and improve the intersection fo U.S. 97 and Oregon 126	\$5,000,000
3203	CA	Widen & realign Cherry Avenue from 19th Street to one block south of Pacific Coast Highway, Signal Hill	\$3,000,000
3204	AR	Ft. Smith, Arkansas: Improvements to Jenny Lind Rd. and Ingersoll Rd	\$6,000,000
3205	OH	Widen Pearl Road in Strongsville	\$1,000,000
3206	CA	Interstate 5 and State Route 78 Interchange Improvements	\$4,000,000
3207	OK	Improvements to SH3 from Antlers to Broken Bow	\$6,250,000
3208	KY	Construct the Albany Bypass in Clinton County	\$5,000,000
3209	CA	Highway 74 and Interstate 215 Interchange Project	\$1,000,000
3210	SC	Improve intersection and corridor on US 278 to improve safety. Poss build frontage roads widen road & change traffic controls	\$10,000,000
3211	WA	Port of Bellingham Transportation Enhancement Projects	\$2,500,000
3212	OH	Rehabilitation of SR 53 from Miami St to North city limits including approaches to the CSX railroad bridge, City of Tiffin	\$1,000,000
3213	OH	Upgrade U.S. Route 30 between State Route 235 and Upper Sandusky in Hancock and Wyandot Counties	\$10,090,000
3214	MN	Main Street streetscape reconstruction, 2nd Street from Ash Ave. to State Hwy 2, and Grand Utley Ave from 2nd Street to 6th Street N. across State Hwy 2, Cass Lake	\$1,900,000
3215	NJ	Warren County, NJ Route 57 and County Route 519 Intersection Improvements	\$2,700,000
3216	HI	Widen Queen Kaahumanu Highway	\$3,000,000
3217	CT	Widen Route 34, Derby	\$3,000,000
3218	IN	Construction of County Road 17 -- Elkhart, IN	\$3,000,000
3219	PA	Widen Route 666 in Forest County	\$1,000,000
3220	CA	Upgrade Jepson Parkway at North and South Gates of Travis Air Force Base and widen Vanden Road segment, Solano County	\$2,000,000
3221	CT	Widen Route 67, Seymour	\$1,000,000
3222	PR	Widen Route 835 to provide ready access to Guaynado and facilitate housing, industrial, commercial, & recreational development	\$6,000,000
3223	CT	Widen Canal Street, Shelton, CT	\$500,000
3224	NJ	Construct CR 521-Ocean Drive & Middle Thoroughfare Bridge Replacement, Cape May County	\$2,000,000
3225	OR	I-205 widening, Clackamas County	\$2,000,000
3226	OK	Construct interchange south of I-40 along Indian Nation Turnpike near Henryetta	\$250,000
3227	MO	Complete upgrade of U.S. 40-61 to interstate status on two section, from I 70 to Lake St. Louis exit and Highway K to Highway DD	\$2,000,000
3228	TX	Abilene, TX, Dyess Air Force Base North Entry Access Project with related improvments	\$5,600,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
3229	CA	Construction and enhancements of trails in the Santa Monica Mountains National Recreation Area	\$1,000,000
3230	KY	Construct South Airfield Road, Boone County, Kentucky	\$3,000,000
3231	LA	Construction of pedestrian and bike path adjacent to Tammany Trace Rails-to-Trails Corridor	\$200,000
3232	NY	Construction of pedestrian walkways in Village of Northport	\$100,000
3233	NV	Design and Construction of I-80 interchange in Fernley	\$1,000,000
3234	OH	Eastgate Area Improvements,I-275 & SR 32, Clermont County	\$3,600,000
3235	PA	Pennsylvania Turnpike-Interstate 95 Interchange Project, Bucks County, PA	\$4,000,000
3236	GA	Commission a study & report regarding construction & designation of a new Interstate linking Augusta, Macon, Columbus, Montgomery, & Natchez	\$400,000
3237	CT	Construct Shoreline Greenway Trail, Madison	\$1,000,000
3238	NE	New roads and overpasses to relieve congestion and improve traffic flow -Antelope Valley --Lincoln, NE	\$3,000,000
3239	CA	Reconstruct Atlantic Av. and improve drainage from Ardmore St. to Imperial Hwy. in South Gate	\$3,250,000
3240	SD	Construct Railroad Underpass on Hwy 35 in Pierre	\$1,100,000
3241	AR	I40-Highway 89 Interchange	\$3,000,000
3242	WA	Kent, WA Willis Street UP Railroad Grade Separation Project	\$500,000
3243	IL	Replace Interstate 74 Bridge, Moline	\$4,000,000
3244	CA	Implement SFgo Van Ness Corridor Improvements	\$5,000,000
3245	NC	Battleground Avenue Rail to Trail Project, Guilford County, NC	\$1,000,000
3246	IL	Construction of an Extension of Atkinson Road to Intersect with IL 120 and IL 137	\$6,000,000
3247	OH	I-70,I-71 Split reconfiguration, Columbus	\$5,000,000
3248	MI	Delta County, CR 186 from M-35 at Brampton to US2 and US41-bituminous overlay with super elevation, correction, curb, and gutter	\$240,000
3249	TN	Notia, TN Improving Vehicle Efficiencies at At-Grade highway-Railroad Crossings	\$99,000
3250	NY	Construct access to the NYS Thruway -Montezuma National Wildlife Reserve	\$1,500,000
3251	MN	Corridor design work, I-94 and Radio Drive, Woodbury, MN	\$500,000
3252	TN	Develop trails, bike paths and recreational facilities on Brady Mountain, Cumberland County for Cumberland Trail State Park	\$250,000
3253	WA	Access Downtown Phase II: I-405 Downtown Bellevue Circulation Improvements	\$11,500,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
3254	PA	Reconstruct PA Route 274, at PA Route 11/15, Duncannon	\$1,000,000
3255	PA	Road and pedestrian improvements and realignment, through construction, in York City NW Triangle	\$1,500,000
3256	NY	Rockland County highway railroad grade crossing safety improvements	\$1,750,000
3257	OH	Calm traffic on Greenfield St in City of Tiffin and improve intersection of Greenfield St with Routes 18 and 101	\$1,700,000
3258	IA	Construction of NW 26th St interchange on I 35, Polk Co	\$1,000,000
3259	NY	To conduct scoping studies along proposed Northern Tier Expressway	\$5,000,000
3260	IL	Undertake Traffic Mitigation and Circulation Enhancements on 57th and Lake Shore Drive, Chicago	\$2,000,000
3261	IL	For the the construction of a highway on new alignment to create a cross town route across Godfrey	\$1,250,000
3262	MI	Construct Industrial Park Service Road and Caine Road Bridge Replacement. Village of Millington, Tuscola County	\$494,000
3263	TX	Loop 281 Mobility and Safety Improvements, Longview, TX	\$1,680,000
3264	TX	Upgrade Fulghum Road Bridge on I-45 in Dallas County (TX) to provide safety and access for expanded intermodal traffic	\$3,100,000
3265	MN	Edge of Wilderness Discovery Center, Marcell	\$471,000
3266	IN	Construction of Star Hill Road, Clark County, Indiana	\$2,215,000
3267	TN	Plan and construct a bicycle and pedestrian trail, Shelbyville	\$400,000
3268	TX	Construct Park Row bypass from Texas State Highway 6 to the Eldridge Parkway in Houston, TX	\$2,000,000
3269	CA	Implement Northwest San Fernando Valley Road and Safety Improvements	\$3,056,000
3270	KY	Construct two bridges across the Ohio River from Louisville to southern Indiana	\$14,000,000
3271	ME	Construction of the Gorham Village Bypass, Gorham	\$11,220,000
3272	OK	Reconstruction of the I-40 Crosstown Expressway from I-44 to I-35 in downtown Oklahoma City, Oklahoma	\$14,000,000
3273	MD	I-695, MD147 to I-695	\$4,740,000
3274	SC	Upgrade Hwy. 21 Bypass Grade Crossings	\$1,000,000
3275	MD	Upgrade MD 175 in Anne Arundel County between MD 170 and the Baltimore Washington Parkway	\$1,000,000
3276	OK	Construct and widen six lanes on Interstate 44 from the Arkansas River extending east approximately 3.7 miles to Yale Avenue in Tulsa, OK	\$10,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
3277	OR	North Bend Waterfront District Boardwalk Construction	\$992,000
3278	CT	Make Improvements to North Stonington, CT West- erly, R.I. Pawcatuck River Bridge	\$500,000
3279	VA	Construct improvements at I-264 Witchduck Road interchange in Virginia Beach	\$10,750,000
3280	CA	Construct Western Placerville Interchanges on State Route 50	\$3,000,000
3281	CT	Construction of Housatonic River Walk, Shelton, CT	\$1,000,000
3282	NY	NYS Route 5,8, 12 Interchange reconstruction: Town of New Hartford	\$1,000,000
3283	NY	Implement Improvements for Pedestrian Safety in Bronx County	\$1,000,000
3284	CA	Improve West Adams Blvd Streetscape in West Adams Historic District, Los Angeles	\$200,000
3285	CA	Improve access from I-8 and construct parking lot for the Imperial Sand Dunes Recreation Area Visitor's Center, Imperial Valley	\$1,000,000
3286	PA	Construction of low-impact, spine roadway serving the North Delaware Riverfront corridor, City of Philadelphia	\$10,000,000
3287	AL	Construct interchange on I-59 between I-59 and 49th Street in Fort Payne, AL	\$3,000,000
3288	FL	Coordinated Regional Transportation Study of US 98 from Pensacola Bay Bridge, Escambia Coun- ty, to Hathaway Bridge, Walton County, Florida	\$1,500,000
3289	GA	Leesburg North Bypass from US 19 to SR 195, Lee County	\$500,000
3290	LA	Peters Road improvements in Plaquemines Parish	\$1,000,000
3291	GA	Upgrade sidewalks, lighting, landscaping from Cherry Street to Hampton Street, Industrial Park to Dooly Street, Montezuma	\$500,000
3292	NY	Intermodal transportation facility just off of the Bronx River Parkway's exit 6	\$1,000,000
3293	GA	US 27 Reconstruction from Colquit to CR 279	\$1,000,000
3294	TX	Loop 180 (Project code 1190-01-035) in Whitney, TX from FM 933/ FM 1713 to FM 933S of Whitney	\$1,000,000
3295	IA	US 30 widening, reconstruction in Story and Mar- shall Counties, Iowa	\$2,300,000
3296	TX	US 377 interchange construction (at B377 and Hwy 144) Hood Co	\$1,500,000
3297	NY	Construct and improve pedestrian streetscapes along Sunrise Highway in Freeport	\$500,000
3298	IA	Construct Principal Riverwalk, Des Moines	\$4,000,000
3299	NY	Construct access ramps to Rt. 32-6-17-CR 105 in Orange County	\$8,000,000
3300	IL	Resurface Shawnee College Road, Pulaski County ..	\$1,250,000
3301	MI	Canton, Pave Cherry Hill Rd. between Canton Ctr., and Haggerty	\$2,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
3302	AR	Springdale, AR -- Improvements to Johnson Road. From Hwy 412 to I-540 through Springdale and Johnson	\$7,000,000
3303	NC	Environmental studies and construction of Garden Parkway	\$5,000,000
3304	AZ	US 60 and US 93 connection on the eastern edge of central Wickenburg	\$2,000,000
3305	GA	Construction of I-575 HOV Lanes from Sixes Road to S.R. 20, Cherokee County, Georgia	\$1,000,000
3306	WA	I-405-SR 167 interchange—rebuild the interchange and add additional lanes to relieve congestion	\$2,000,000
3307	MN	US10 corridor improvement between Blaine and St. Cloud: design and ROW acquisition	\$2,500,000
3308	CA	Walnut Grove at Broadway Intersection Capacity Enhancements, San Gabriel	\$250,000
3309	KY	Widen and Reconstruct KY 698 at Mason Gap Road, Lincoln County	\$1,200,000
3310	OR	Medford, OR to construct sidewalks and improve storm drainage and gutters for the City's Safe Walk Plan	\$1,000,000
3311	MN	Construct a pedestrian and bicycle bridge across TH 169, Onamia	\$1,097,600
3312	NY	Improve Montauk Highway from CR46 to Barnes Road, Suffolk County	\$8,000,000
3313	CA	San Diego, CA Construction of North Coast Interstate 5	\$1,000,000
3314	AR	Study and construction of 8th Street, in Bentonville, AR from Interstate 540, (including direct access to I-540) to SW Elm Tree Road	\$3,000,000
3315	MN	Cedar Lake Regional Trail, Minneapolis	\$3,000,000

1 **Subtitle H—Miscellaneous**
2 **Provisions**

3 **SEC. 1801. BUDGET JUSTIFICATION.**

4 *The Department of Transportation and each agency*
5 *therein shall submit to the Committee on Transportation*
6 *and Infrastructure of the House of Representatives a budget*
7 *justification concurrently with the President's annual budg-*
8 *et submission to Congress under section 1105(a) of title 31,*
9 *United States Code.*

1 **SEC. 1802. MOTORIST INFORMATION.**

2 *Section 124 of of title I of division F of the Consoli-*
3 *dated Appropriations Act, 2004 (118 Stat. 296–297) is re-*
4 *pealed.*

5 **SEC. 1803. MOTORIST INFORMATION CONCERNING FULL-**
6 **SERVICE RESTAURANTS.**

7 *Not later than 180 days after the date of enactment*
8 *of this Act, the Secretary shall initiate a rulemaking to de-*
9 *termine whether or not—*

10 *(1) full-service restaurants should be given pri-*
11 *ority on not more than 2 panels of the camping or*
12 *attractions logo specific service signs in the Manual*
13 *on Uniform Traffic Control Devices of the Depart-*
14 *ment of Transportation when the food logo specific*
15 *service sign is fully utilized; and*

16 *(2) full service restaurants should be given pri-*
17 *ority on not more than two panels of the food logo*
18 *specific service signs in such Manual when the camp-*
19 *ing or attractions logo specific service signs are fully*
20 *utilized.*

21 **SEC. 1804. HIGH PRIORITY CORRIDORS ON THE NATIONAL**
22 **HIGHWAY SYSTEM.**

23 *Section 1105(c) of the Intermodal Surface Transpor-*
24 *tation Efficiency Act of 1991 (105 Stat. 2032) is amend-*
25 *ed—*

1 (1) in paragraph (23) by inserting before the pe-
2 riod at the end the following: “and the connection
3 from Wichita, Kansas, to Sioux City, Iowa, which in-
4 cludes I–135 from Wichita, Kansas to Salina, Kan-
5 sas, United States Route 81 from Salina, Kansas, to
6 Norfolk, Nebraska, Nebraska State Route 35 from
7 Norfolk, Nebraska, to South Sioux City, Nebraska,
8 and the connection to I–29 in Sioux City, Iowa”;

9 (2) by striking paragraph (34) and inserting the
10 following:

11 “(34) *The Alameda Corridor-East and Southwest*
12 *Passage, California. The Alameda Corridor-East is*
13 *generally described as the corridor from East Los An-*
14 *geles (terminus of Alameda Corridor) through Los*
15 *Angeles, Orange, San Bernardino, and Riverside*
16 *Counties, to termini at Barstow in San Bernardino*
17 *County and Coachella in Riverside County. The*
18 *Southwest Passage shall follow I–10 from San*
19 *Bernardino to the Arizona State line.”;*

20 (3) by adding at the end the following:

21 “(46) *Interstate Route 710 between the terminus*
22 *at Long Beach, California, to California State Route*
23 *60.*

24 “(47) *Interstate Route 87 from the Quebec border*
25 *to New York City.*

1 “(48) *The Route 50 High Plains Corridor along*
2 *the United States Route 50 corridor from Newton,*
3 *Kansas, to Pueblo, Colorado.*

4 “(49) *The Atlantic Commerce Corridor on Inter-*
5 *state Route 95 from Jacksonville, Florida, to Miami,*
6 *Florida.*

7 “(50) *The East-West Corridor commencing in*
8 *Watertown, New York, continuing northeast through*
9 *New York, Vermont, New Hampshire, and Maine, and*
10 *terminating in Calais, Maine.*

11 “(51) *The SPIRIT Corridor on United States*
12 *Route 54 from El Paso, Texas, through New Mexico,*
13 *Texas, and Oklahoma to Wichita, Kansas.*

14 “(52) *The route in Arkansas running south of*
15 *and parallel to Arkansas State Highway 226 from the*
16 *relocation of United States Route 67 to the vicinity*
17 *of United States Route 49 and United States Route*
18 *63.*

19 “(53) *United States Highway Route 6 from*
20 *Interstate Route 70 to Interstate Route 15, Utah.*

21 “(54) *The California Farm-to-Market Corridor,*
22 *California State Route 99 from south of Bakersfield*
23 *to Sacramento, California.*

24 “(55) *In Texas, Interstate Route 20 from Inter-*
25 *state Route 35E in Dallas County, east to the inter-*

1 *section of Interstate Route 635, north to the intersec-*
2 *tion of Interstate Route 30, northeast through Tex-*
3 *arkana to Little Rock, Arkansas, Interstate Route 40*
4 *northeast from Little Rock east to the proposed Inter-*
5 *state Route 69 corridor.*

6 *“(56) In the State of Texas, the La Entrada al*
7 *Pacifico Corridor consisting of the following highways*
8 *and any portion of a highway in a corridor on 2*
9 *miles of either side of the center line of the highway:*

10 *“(A) State Route 349 from Lamesa to the*
11 *point on that highway that is closest to 32 de-*
12 *grees, 7 minutes, north latitude, by 102 degrees,*
13 *6 minutes, west longitude.*

14 *“(B) The segment or any roadway extend-*
15 *ing from the point described by subparagraph*
16 *(A) to the point on Farm-to-Market Road 1788*
17 *closest to 32 degrees, 0 minutes, north latitude,*
18 *by 102 degrees, 16 minutes, west longitude.*

19 *“(C) Farm-to-Market Road 1788 from the*
20 *point described by subparagraph (B) to its inter-*
21 *section with Interstate Route 20.*

22 *“(D) Interstate Route 20 from its intersec-*
23 *tion with Farm-to-Market Road 1788 to its*
24 *intersection with United States Route 385.*

1 “(E) United States Route 385 from Odessa
2 to Fort Stockton, including those portions that
3 parallel United States Route 67 and Interstate
4 Route 10.

5 “(F) United States Route 67 from Fort
6 Stockton to Presidio, including those portions
7 that parallel Interstate Route 10 and United
8 States Route 90.

9 “(57) United States Route 41 corridor between
10 Interstate Route I-94 near Milwaukee and Interstate
11 Route I-43 near Green Bay in the State of Wis-
12 consin.”; and

13 (4) by aligning paragraph (45) with paragraph
14 (46).

15 **SEC. 1805. ADDITIONS TO APPALACHIAN REGION.**

16 (a) *KENTUCKY*.—Section 14102(a)(1)(C) of title 40,
17 United States Code, is amended—

18 (1) by inserting “Nicholas,” after “Morgan,”;
19 and

20 (2) by inserting “Robertson,” after “Pulaski,”.

21 (b) *OHIO*.—Section 14102(a)(1)(H) of such title is
22 amended—

23 (1) by inserting “Ashtabula,” after “Adams,”;

24 (2) by inserting “Fayette,” after “Coshocton,”;

1 (3) by inserting “Mahoning,” after “Lawrence,”;

2 and

3 (4) by inserting “Trumbull,” after “Scioto,”.

4 (c) *TENNESSEE*.—Section 14102(a)(1)(K) of such title
5 is amended—

6 (1) by inserting “Giles,” after “Franklin,”; and

7 (2) by inserting “Lawrence, Lewis, Lincoln,”
8 after “Knox,”.

9 (d) *VIRGINIA*.—Section 14102(a)(1)(L) of such title is
10 amended—

11 (1) by inserting “Henry,” after “Grayson,”; and

12 (2) by inserting “Patrick,” after “Montgomery,”.

13 **SEC. 1806. TRANSPORTATION ASSETS AND NEEDS OF**
14 **DELTA REGION.**

15 (a) *AGREEMENT*.—Not later than 6 months after the
16 date of enactment of this Act, the Secretary shall enter into
17 an agreement with the Delta Regional Authority (referred
18 to in this section as the “DRA”) to conduct a comprehensive
19 study of transportation assets and needs for all modes of
20 transportation (including passenger and freight transpor-
21 tation) in the 8 States comprising the Delta region (Ala-
22 bama, Arkansas, Illinois, Kentucky, Louisiana, Mis-
23 sissippi, Missouri and Tennessee).

24 (b) *CONSULTATION*.—Under the agreement, the DRA,
25 in conducting the study, shall consult with the Department

1 of Transportation, State transportation departments, local
2 planning and development districts, local and regional gov-
3 ernments, and metropolitan planning organizations.

4 (c) *REPORT.*—Under the agreement, the DRA, not
5 later than 24 months after the date of entry into the agree-
6 ment, shall submit to the Secretary and the Committee on
7 Transportation and Infrastructure of the House of Rep-
8 resentatives and the Committee on Environment and Public
9 Works of the Senate a final report on the results of the
10 study, together with such recommendation as the DRA con-
11 siders appropriate.

12 (d) *PLAN.*—Under the agreement, the DRA, upon com-
13 pletion of the report, shall establish a regional strategic
14 plan to implement the recommendations of the report.

15 (e) *FUNDING.*—

16 (1) *AUTHORIZATION OF APPROPRIATIONS.*—
17 There is authorized to be appropriated out of the
18 Highway Trust Fund (other than the Mass Transit
19 Account), \$500,000 for each of the fiscal years 2005
20 and 2006 to carry out this section.

21 (2) *CONTRACT AUTHORITY.*—Funds authorized
22 by this section shall be available for obligation in the
23 same manner and to the same extent as if such funds
24 were apportioned under chapter 1 of title 23, United

1 *States Code; except that such funds shall remain*
2 *available until expended and shall not be transferable.*

3 **SEC. 1807. TOLL FACILITIES WORKPLACE SAFETY STUDY.**

4 *(a) IN GENERAL.—The Secretary shall conduct a*
5 *study on the safety of highway toll collection facilities, in-*
6 *cluding toll booths, to determine the safety of the facilities*
7 *for the toll collectors who work in and around the facilities,*
8 *including consideration of—*

9 *(1) the effect of design or construction of the fa-*
10 *ilities on the likelihood of vehicle collisions with the*
11 *facilities;*

12 *(2) the safety of crosswalks used by toll collectors*
13 *in transit to and from toll booths;*

14 *(3) the extent of the enforcement of speed limits*
15 *in the vicinity of the facilities;*

16 *(4) the use of warning devices, such as vibration*
17 *and rumble strips, to alert drivers approaching the*
18 *facilities;*

19 *(5) the use of cameras to record traffic violations*
20 *in the vicinity of the facilities;*

21 *(6) the use of traffic control arms in the vicinity*
22 *of the facilities;*

23 *(7) law enforcement practices and jurisdictional*
24 *issues that affect safety in the vicinity of the facilities;*

25 *and*

1 (8) *the incidence of accidents and injuries in the*
2 *vicinity of toll booths.*

3 (b) *DATA COLLECTION.*—*As part of the study, the Sec-*
4 *retary shall collect data regarding the incidence of accidents*
5 *and injuries in the vicinity of highway toll collection facili-*
6 *ties.*

7 (c) *REPORT.*—*Not later than 1 year after the date of*
8 *enactment of this Act, the Secretary shall transmit to the*
9 *Committee on Transportation and Infrastructure of the*
10 *House of Representatives and the Committee on Environ-*
11 *ment and Public Works of the Senate a report on the results*
12 *of the study, together with recommendations for improving*
13 *toll facilities workplace safety.*

14 (d) *FUNDING.*—

15 (1) *AUTHORIZATION OF APPROPRIATIONS.*—
16 *There is authorized to be appropriated to carry out*
17 *this section, out of the Highway Trust Fund (other*
18 *than the Mass Transit Account), \$500,000 for fiscal*
19 *year 2005.*

20 (2) *CONTRACT AUTHORITY.*—*Funds authorized to*
21 *be appropriated by this section shall be available for*
22 *obligation in the same manner and to the same extent*
23 *as if such funds were apportioned under chapter 1 of*
24 *title 23, United States Code; except that the Federal*
25 *share of the cost of the project shall be 100 percent,*

1 *this section, out of the Highway Trust Fund (other*
2 *than the Mass Transit Account), \$1,000,000 per fiscal*
3 *year for each of the fiscal years 2005 through 2009.*

4 (2) *CONTRACT AUTHORITY.—Funds authorized to*
5 *be appropriated by this section shall be available for*
6 *obligation in the same manner and to the same extent*
7 *as if such funds were apportioned under chapter 1 of*
8 *title 23, United States Code; expect that the Federal*
9 *share of the cost of the demonstration projects shall be*
10 *100 percent, and such funds shall remain available*
11 *until expended and shall not be transferable.*

12 **SEC. 1809. WORK ZONE SAFETY GRANTS.**

13 (a) *IN GENERAL.—The Secretary shall establish and*
14 *implement a work zone safety grant program under which*
15 *the Secretary may make grants to nonprofit organizations*
16 *to provide training to prevent or reduce highway work zone*
17 *injuries and fatalities.*

18 (b) *ELIGIBLE ACTIVITIES.—Grants may be made*
19 *under the program for the following purposes:*

20 (1) *Training for construction craft workers on*
21 *the prevention of injuries and fatalities in highway*
22 *and road construction.*

23 (2) *Development of guidelines for the prevention*
24 *of highway work zone injuries and fatalities.*

1 (3) *Training for State and local government*
2 *transportation agencies and other groups imple-*
3 *menting guidelines for the prevention of highway*
4 *work zone injuries and fatalities.*

5 (c) *FUNDING.—*

6 (1) *IN GENERAL.—There is authorized to be ap-*
7 *propriated from the Highway Trust Fund (other than*
8 *the Mass Transit Account) to carry out this section*
9 *\$5,000,000 for each of fiscal years 2005 through 2009.*

10 (2) *CONTRACT AUTHORITY.—Funds authorized*
11 *by this subsection shall be available for obligation in*
12 *the same manner as if the funds were apportioned*
13 *under chapter 1 of title 23, United States Code; except*
14 *that such funds shall not be transferable.*

15 (d) *CONSTRUCTION WORK IN ALASKA.—Section 114 of*
16 *title 23, United States Code, is amended by adding at the*
17 *end the following:*

18 “(c) *CONSTRUCTION WORK IN ALASKA.—*

19 “(1) *IN GENERAL.—The Secretary shall ensure*
20 *that a worker who is employed on a remote project for*
21 *the construction of a highway or portion of a highway*
22 *located on a Federal-aid system in the State of Alaska*
23 *and who is not a domiciled resident of the locality*
24 *shall receive meals and lodging.*

1 “(2) *LODGING.*—*The lodging under paragraph*
2 *(1) shall be in accordance with section 1910.142 of*
3 *title 29, Code of Federal Regulations (relating to tem-*
4 *porary labor camp requirements).*

5 “(3) *DEFINITIONS.*—*In this subsection, the fol-*
6 *lowing definitions apply:*

7 “(A) *REMOTE.*—*The term ‘remote’, as used*
8 *with respect to a project, means that the project*
9 *is 75 miles or more from the United States Post*
10 *Office in either Fairbanks, Anchorage, Juno, or*
11 *Ketchikan, Alaska, or is inaccessible by road in*
12 *a 2-wheel drive vehicle.*

13 “(B) *RESIDENT.*—*The term ‘resident’, as*
14 *used with respect to a project, means a person*
15 *living within 75 miles of the midpoint of the*
16 *project for at least 12 months.”.*

17 **SEC. 1810. GRANT PROGRAM TO PROHIBIT RACIAL**
18 **PROFILING.**

19 (a) *GRANTS.*—*Subject to the requirements of this sec-*
20 *tion, the Secretary shall make grants to a State that—*

21 (1) (A) *has enacted and is enforcing a law that*
22 *prohibits the use of racial profiling in the enforcement*
23 *of State laws regulating the use of Federal-aid high-*
24 *ways; and*

1 (B) is maintaining and allows public inspection
2 of statistical information for each motor vehicle stop
3 made by a law enforcement officer on a Federal-aid
4 highway in the State regarding the race and ethnicity
5 of the driver and any passengers; or

6 (2) provides assurances satisfactory to the Sec-
7 retary that the State is undertaking activities to com-
8 ply with the requirements of paragraph (1).

9 (b) *ELIGIBLE ACTIVITIES*.—A grant received by a
10 State under subsection (a) shall be used by the State—

11 (1) in the case of a State eligible under sub-
12 section (a)(1), for costs of—

13 (A) collecting and maintaining of data on
14 traffic stops;

15 (B) evaluating the results of the data; and

16 (C) developing and implementing programs
17 to reduce the occurrence of racial profiling, in-
18 cluding programs to train law enforcement offi-
19 cers; and

20 (2) in the case of a State eligible under sub-
21 section (a)(2), for costs of—

22 (A) activities to comply with the require-
23 ments of subsection (a)(1); and

24 (B) any eligible activity under paragraph
25 (1).

1 (c) *RACIAL PROFILING.*—To meet the requirement of
2 subsection (a)(1), a State law shall prohibit, in the enforce-
3 ment of State laws regulating the use of Federal-aid high-
4 ways, a State or local law enforcement officer from using
5 the race or ethnicity of the driver or passengers to any de-
6 gree in making routine or spontaneous law enforcement de-
7 cisions, such as ordinary traffic stops on Federal-aid high-
8 ways. Nothing in this subsection shall alter the manner in
9 which a State or local law enforcement officer considers race
10 or ethnicity whenever there is trustworthy information, rel-
11 evant to the locality or time frame, that links persons of
12 a particular race or ethnicity to an identified criminal in-
13 cident, scheme, or organization.

14 (d) *LIMITATIONS.*—

15 (1) *MAXIMUM AMOUNT OF GRANTS.*—The total
16 amount of grants received by a State under this sec-
17 tion in a fiscal year may not exceed 5 percent of the
18 amount made available to carry out this section in
19 the fiscal year.

20 (2) *ELIGIBILITY.*—A State may not receive a
21 grant under subsection (a)(2) in more than 2 fiscal
22 years.

23 (e) *AUTHORIZATION OF APPROPRIATIONS.*—

24 (1) *IN GENERAL.*—There is authorized to be ap-
25 propriated from the Highway Trust Fund (other than

1 *the Mass Transit Account) to carry out this section*
2 *\$10,000,000 for each of fiscal years 2005 through*
3 *2009.*

4 (2) *CONTRACT AUTHORITY.—Funds authorized*
5 *by this subsection shall be available for obligation in*
6 *the same manner as if the funds were apportioned*
7 *under chapter 1 of title 23, United States Code, except*
8 *the Federal share of the cost of activities carried out*
9 *using such funds shall be 100 percent, and such funds*
10 *shall remain available until expended and shall not*
11 *be transferable.*

12 **SEC. 1811. AMERICA'S BYWAYS RESOURCE CENTER.**

13 (a) *IN GENERAL.—The Secretary shall allocate funds*
14 *made available to carry out this section to the America's*
15 *Byways Resource Center established pursuant to section*
16 *1215(b)(1) of the Transportation Equity Act for the 21st*
17 *Century (112 Stat. 209).*

18 (b) *TECHNICAL SUPPORT AND EDUCATION.—*

19 (1) *USE OF FUNDS.—The Center shall use funds*
20 *allocated to the Center under this section to continue*
21 *to provide technical support and conduct educational*
22 *activities for the national scenic byways program es-*
23 *tablished under section 162 of title 23, United States*
24 *Code.*

1 (2) *ELIGIBLE ACTIVITIES.*—*Technical support*
2 *and educational activities carried out under this sub-*
3 *section shall provide local officials and organizations*
4 *associated with National Scenic Byways and All-*
5 *American Roads with proactive, technical, and on-site*
6 *customized assistance, including training, commu-*
7 *nications (including a public awareness series), publi-*
8 *cations, conferences, on-site meetings, and other as-*
9 *stance considered appropriate to develop and sus-*
10 *tain such byways and roads.*

11 (c) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*
12 *authorized to be appropriated out of the Highway Trust*
13 *Fund (other than the Mass Transit Account) to carry out*
14 *this section \$3,500,000 for each of fiscal years 2004 through*
15 *2009.*

16 (d) *APPLICABILITY OF TITLE 23.*—*Funds authorized*
17 *by this section shall be available for obligation in the same*
18 *manner as if such funds were apportioned under chapter*
19 *1 of title 23, United States Code; except that the Federal*
20 *share of the cost of any project or activity carried out under*
21 *this section shall be 100 percent and such funds shall re-*
22 *main available until expended and shall not be transferable.*

1 **SEC. 1812. TECHNICAL ADJUSTMENT.**

2 (a) *IN GENERAL.*—*The donee of the vessel with the*
3 *Unit Identification Code number 13862 is deemed to be the*
4 *owner of that vessel free and clear as of September 1, 2000.*

5 (b) *FEDERAL CLAIMS.*—*All Federal claims arising*
6 *from the donation or use of the vessel described in subsection*
7 *(a) are permanently extinguished.*

8 **SEC. 1813. ROAD USER CHARGE EVALUATION PILOT**
9 **PROJECT.**

10 (a) *IN GENERAL.*—*The Secretary shall carry out a na-*
11 *tional evaluation pilot project to assess how intelligent*
12 *transportation system technology can be applied to assess*
13 *mileage-based road user charges for the purposes of col-*
14 *lecting revenues for the Highway Trust Fund.*

15 (b) *MATTERS TO BE EVALUATED.*—*The following mat-*
16 *ters shall be evaluated under the pilot project:*

17 (1) *Technical feasibility of imposing mileage-*
18 *based road user charges, including cost, reliability,*
19 *and security of on-board and intelligent transpor-*
20 *tation systems.*

21 (2) *Compatibility of technology for imposing*
22 *such charges with automobile and truck design.*

23 (3) *Design and testing of a collection system for*
24 *such charges that is secure, low cost, and easy to use.*

25 (4) *Methods of ensuring privacy of road users*
26 *and assessing public attitudes and views of motorists*

1 *who participate in field tests of the equipment and*
2 *system.*

3 (c) *REPORTS.*—*The Secretary shall transmit annual*
4 *reports on the status of the pilot project and, not later than*
5 *June 30, 2009, a final report on the results of the pilot*
6 *project, together with findings and recommendations, to the*
7 *Secretary of the Treasury, the Committee on Transpor-*
8 *tation and Infrastructure and the Committee on Ways and*
9 *Means of the House of Representatives, and the Committee*
10 *on Environment and Public Works and the Committee on*
11 *Finance of the Senate.*

12 (d) *AUTHORIZATION OF APPROPRIATION.*—

13 (1) *IN GENERAL.*—*There is authorize from the*
14 *Highway Trust Fund (other than the Mass Transit*
15 *Account) to carry out this section \$1,000,000 for each*
16 *of fiscal years 2005 and 2006 and \$3,500,000 for each*
17 *of fiscal years 2007, 2008, and 2009.*

18 (2) *CONTRACT AUTHORITY.*—*Funds authorized*
19 *under this subsection shall be available for obligation*
20 *in the same manner as if the funds were apportioned*
21 *under chapter 1 of title 23, United States Code; except*
22 *the Federal share of the cost of the pilot project shall*
23 *be 100 percent, and such funds shall remain available*
24 *until expended and shall not be transferable.*

1 **SEC. 1814. THOMAS P. “TIP” O’NEILL, JR. TUNNEL.**

2 (a) *DESIGNATION.*—*In honor of his service to the Com-*
3 *monwealth of Massachusetts and the United States of Amer-*
4 *ica, and in recognition of his contributions toward the con-*
5 *struction of Central Artery Tunnel project in Boston, the*
6 *northbound and southbound tunnel of Interstate Route 93,*
7 *located in the city of Boston, which extends north of the*
8 *intersection of Interstate Route 90 and Interstate Route 93*
9 *to the Leonard P. Zakim Bunker Hill Bridge, is designated*
10 *as the “Thomas P. ‘Tip’ O’Neill, Jr. Tunnel”.*

11 (b) *REFERENCES.*—*Any reference in law, map, regula-*
12 *tion, document, paper, or other record of the United States*
13 *to the tunnel referred to in subsection (a) shall be deemed*
14 *to be a reference to the “Thomas P. ‘Tip’ O’Neill, Jr. Tun-*
15 *nel”.*

16 **SEC. 1815. CONFORMING AMENDMENT FOR TRANSPOR-**
17 **TATION PLANNING SECTIONS.**

18 (a) *METROPOLITAN PLANNING.*—*Section 134 of title*
19 *23, United States Code is amended to read as follows:*

20 **“§ 134. Metropolitan planning**

21 *“Metropolitan transportation planning programs*
22 *funded under section 104(f) shall be carried out in accord-*
23 *ance with the metropolitan planning provisions of chapter*
24 *52, title 49, United States Code.”.*

25 (b) *STATEWIDE PLANNING.*—*Section 135 of such title*
26 *is amended to read as follows:*

1 **“§ 135. Statewide planning**

2 *“Statewide transportation planning programs funded*
3 *under section 104(f) shall be carried out in accordance with*
4 *the statewide planning provisions of chapter 52, title 49,*
5 *United States Code.”.*

6 **SEC. 1816. DISTRIBUTION OF METROPOLITAN PLANNING**
7 **FUNDS WITHIN STATES.**

8 *Section 104(f)(4) of title 23, United States Code, is*
9 *amended by adding at the end the following: “Such dis-*
10 *tribution of funds to metropolitan planning organizations*
11 *shall be made within 30 days of the date of receipt of such*
12 *funds from the Secretary.”.*

13 **SEC. 1817. TREATMENT OF OFF RAMP.**

14 *The Harbor Boulevard off ramp from Interstate Route*
15 *405 in Costa Mesa, California, is deemed to satisfy the re-*
16 *quirements of title 23, United States Code, that govern the*
17 *approval of the placement of ramps off of a Federal-aid*
18 *highway.*

19 **SEC. 1818. LOAN FORGIVENESS.**

20 *Debt outstanding as of the date of enactment of this*
21 *Act for project number Q–DPM–0013(001) carried out*
22 *under section 108(c) of title 23, United States Code, is*
23 *deemed satisfied.*

24 **SEC. 1819. LEAD AGENCY DESIGNATION.**

25 *The public entity established under California law in*
26 *1989 to acquire rights-of-way in northwestern California*

1 *to maintain surface transportation infrastructure is hereby*
2 *designated as the lead agency for the purpose of accepting*
3 *Federal funds authorized under item 13 of the table con-*
4 *tained in section 1108(b) of the Intermodal Surface Trans-*
5 *portation Efficiency Act of 1991 (105 Stat. 2061).*

6 **SEC. 1820. USE OF DEBRIS FROM DEMOLISHED BRIDGES**
7 **AND OVERPASSES.**

8 *The project agreement for a Federal-aid highway*
9 *project shall provide that any debris from demolition of a*
10 *bridge or overpass that is on the Federal-aid highway must*
11 *be made available for beneficial public use by Federal,*
12 *State, and local governments. Any additional cost associ-*
13 *ated with making available the debris shall be borne by the*
14 *recipient of the debris.*

15 **SEC. 1821. HUBZONE PROGRAM.**

16 *Section 3(p)(4)(B)(ii) of the Small Business Act (15*
17 *U.S.C. 632(p)(4)(B)(ii)) is amended—*

18 *(1) in subclause (I) by striking “or” at the end;*

19 *(2) in subclause (II) by striking the period at the*
20 *end and inserting “; or” ; and*

21 *(3) by adding after subclause (II) the following:*

22 *“(III) there is located a difficult*
23 *development area, as designated by the*
24 *Secretary of Housing and Urban De-*
25 *velopment in accordance with section*

1 42(d)(5)(C)(iii) of the Internal Rev-
2 enue Code of 1986, within Alaska, Ha-
3 wain, or any territory or possession of
4 the United States outside the 48 con-
5 tiguous States.”.

6 **SEC. 1822. TECHNICAL AMENDMENTS TO TEA 21 PROJECTS.**

7 *The table contained in section 1602 of the Transpor-*
8 *tation Equity Act for the 21st Century (112 Stat. 257) is*
9 *amended—*

10 (1) *in item number 35 by adding “and for other*
11 *related purposes” after “Yard”;*

12 (2) *in item number 78 by striking “Third” and*
13 *all that follows through “Bridge” and inserting*
14 *“Bayview Transportation Improvements Project”;*

15 (3) *in item number 312 by inserting “through*
16 *construction” after “engineering”;*

17 (4) *in item number 800 by striking “Fairview*
18 *Township” and inserting “or other projects selected*
19 *by the York County, Pennsylvania MPO”;*

20 (5) *in item number 820 by striking “Conduct”*
21 *and all that follows through “interchange” and insert-*
22 *ing “Conduct a transportation needs study and make*
23 *improvements to I-75 interchanges in the Grayling*
24 *area”;*

1 (6) in item number 897 by striking “Road up-
2 grade” and all that follows through “Hills” and in-
3 serting “Engineering and construction of a new ac-
4 cess road to a development near Interstate 57 and
5 167th Street in Country Club Hills”;

6 (7) in item number 1121 by striking “Construct”
7 and all that follows through “Douglaston Parkway”
8 and inserting “Provide landscaping along both sides
9 of the Grand Central Parkway from 188th Street to
10 172nd Street”;

11 (8) in item 1225 by striking “Construct SR 9
12 bypass” and inserting “Study, design, and construct
13 transportation solutions for SR 9 corridor”; and

14 (9) in item number 1375 by striking “Prelimi-
15 nary” and all that follows through “Emmet County”
16 and inserting “Petoskey area transportation needs
17 study and trunkline preservation and safety in the
18 Petoskey area”;

19 (10) in item number 1392 by striking “Con-
20 struct” and all that follows through “multimodal cen-
21 ter” and inserting “Improve the ramp configuration
22 at the I-476 PA Turnpike Landsdale Interchange”;
23 and

24 (11) in item number 1447 strike “Extend” and
25 all that follows through “Valparaiso” and insert “De-

1 **SEC. 1824. TRANSPORTATION CONFORMITY.**

2 (a) CONFORMITY REDETERMINATIONS.—Section
3 176(c)(2) of the Clean Air Act (42 U.S.C. 7506(c)) is
4 amended by adding at the end the following:

5 “(E) The appropriate metropolitan planning or-
6 ganization shall redetermine conformity for existing
7 transportation plans and programs not later than 2
8 years after the date on which the Administrator—

9 “(i) finds a motor vehicle emissions budget
10 in a submitted implementation plan to be ade-
11 quate in accordance with section 93.118(e)(4) of
12 title 40, Code of Federal Regulations (as in effect
13 on October 1, 2003); or

14 “(ii) approves an implementation plan
15 under section 110(k) or promulgates an imple-
16 mentation plan under section 110(c) that estab-
17 lishes a motor vehicle emissions budget where
18 there was no prior budget or that establishes a
19 budget that significantly varies from any motor
20 vehicle emissions budget in effect pursuant to an
21 adequacy determination in accordance with sec-
22 tion 93.118(e)(4) of title 40, Code of Federal
23 Regulations (as in effect on October 1, 2003) or
24 as part of an implementation plan approved or
25 promulgated under section 110.”.

1 **(b) FREQUENCY OF CONFORMITY DETERMINATION UP-**
2 *DATES.*—*Section 176(c)(4) of the Clean Air Act (42 U.S.C.*
3 *7506(c)(4)) is amended follows:*

4 (1) *In subparagraph (A) by striking “one year*
5 *after the date of enactment of the Clean Air Act*
6 *Amendments of 1990” and inserting “one year after*
7 *the date of enactment of the Transportation Equity*
8 *Act: A Legacy for Users”.*

9 (2) *In subparagraph (B) by amending clause (ii)*
10 *to read as follows:*

11 *“(ii) provide that conformity determinations for*
12 *transportation plans and programs be determined*
13 *every 4 years in areas designated as nonattainment*
14 *or redesignated to attainment (unless a metropolitan*
15 *planning organization as designated in section*
16 *5213(b) of title 49, United States Code, elects to up-*
17 *date a transportation plan and program more fre-*
18 *quently or is required to determine conformity in ac-*
19 *cordance with paragraph (2)(E)).”.*

20 **(c) TIME HORIZON FOR CONFORMITY DETERMINA-**
21 *TIONS IN NONATTAINMENT AREAS.*—*Subsection (c) of sec-*
22 *tion 176 of the Clean Air Act (42 U.S.C. 7506(c)) is amend-*
23 *ed by adding the following new paragraph at the end there-*
24 *of:*

1 “(7) *TIME HORIZON FOR DETERMINATIONS.*—
2 *Each conformity determination required under this*
3 *section for a transportation plan under section*
4 *5213(g) of title 49 of the United States Code shall re-*
5 *quire a demonstration of conformity during the pe-*
6 *riod ending on either the final year of the transpor-*
7 *tation plan or, at the election of the metropolitan*
8 *planning organization and an air pollution control*
9 *agency, as defined in section 302(b), if such air pollu-*
10 *tion control agency is responsible for developing plans*
11 *or controlling air pollution within the area covered*
12 *by the transportation plan on the later of the fol-*
13 *lowing dates (hereinafter in this paragraph referred*
14 *to as the ‘final transportation conformity date’):*

15 “(A) *The tenth year of the transportation*
16 *plan.*

17 “(B) *The attainment date set forth in the*
18 *applicable implementation plan for the air pol-*
19 *lutant concerned.*

20 “(C) *The year after the completion of a re-*
21 *gionally significant project, if the project will be*
22 *programmed in the transportation improvement*
23 *program or requires approval before the subse-*
24 *quent conformity determination.*

1 *Such conformity determination shall be accompanied*
2 *by a regional emissions analysis for any years of the*
3 *transportation plan that extend beyond such final*
4 *conformity date. In the case in which an area has a*
5 *revision to an implementation plan under section*
6 *175A(b) and the Administrator has found the motor*
7 *vehicle emissions budgets from that revision to be ade-*
8 *quate in accordance with section 93.118(e)(4) of title*
9 *40, Code of Federal Regulations (as in effect October*
10 *1, 2003), or has approved the revision, the demonstra-*
11 *tion of conformity (at the election of the metropolitan*
12 *planning organization and an air pollution control*
13 *agency, as defined in section 302(b), if such air pollu-*
14 *tion control agency is responsible for developing plans*
15 *or controlling pollution within the area covered by the*
16 *transportation plan) and the metropolitan planning*
17 *organization shall be required to extend only through*
18 *the last year of the implementation plan required*
19 *under section 175A(b).”.*

20 (d) *SUBSTITUTION OF TRANSPORTATION CONTROL*
21 *MEASURES.—Subsection 176(c) of the Clean Air Act (42*
22 *U.S.C. 7506(c)) is amended by adding at the end the end*
23 *the following new paragraph:*

24 “(8)(A) *Transportation control measures that*
25 *are specified in an implementation plan may be re-*

1 placed in the implementation plan with substitute
2 transportation control measures if—

3 “(i) the substitute measures achieve equiva-
4 lent or greater emission reductions than the con-
5 trol measures to be replaced, as determined by
6 the Administrator;

7 “(ii) the substitute measures utilize an
8 emissions impact analysis that is consistent with
9 the current methodology used for evaluating re-
10 placed control measures in the implementation
11 plan;

12 “(iii) the substitute control measures are
13 implemented not later than the date on which
14 such emission reductions are necessary to achieve
15 the purpose of the implementation plan;

16 “(iv) the substitute control measures were
17 developed with reasonable public notice and the
18 opportunity for comments; and

19 “(v) the metropolitan planning organiza-
20 tion finds that adequate funding is included in
21 the transportation improvement program to en-
22 sure timely implementation of the substitute con-
23 trol measures.

24 “(B) After the requirements of subparagraph (A)
25 are met, a State may adopt the substitute measures

1 *in the applicable implementation plan within a rea-*
2 *sonable period of time.*

3 “(C) *The substitution of a transportation control*
4 *measure in accordance with this paragraph shall not*
5 *be contingent on the existence of any provision in the*
6 *applicable implementation plan that expressly per-*
7 *mits such substitution.*

8 “(D) *The substitution of a transportation control*
9 *measure in accordance with this paragraph shall not*
10 *require—*

11 “(i) *a new conformity determination for the*
12 *transportation plan, or*

13 “(ii) *a revision of the applicable implemen-*
14 *tation plan.*

15 “(E) *A control measure that is being replaced by*
16 *a substitute control measure under this paragraph*
17 *shall remain in effect until the substitute control*
18 *measure is adopted.*

19 “(F) *Adoption of a substitute control measure*
20 *shall constitute rescission of the previously applicable*
21 *control measure.*

22 *Transportation control measures may be added to an imple-*
23 *mentation plan subject to subparagraphs (B), (C), and (D),*
24 *on the same basis as if such measures were substitute trans-*
25 *portation control measures if such measures do not increase*

1 *emissions for which limitations have been established in an*
2 *implementation plan, and such measures meet the require-*
3 *ments of clauses (ii), (iii), (iv), and (v) of subparagraph*
4 *(A).”.*

5 *(e) LAPSE OF CONFORMITY.—Subsection (c) of section*
6 *176 of the Clean Air Act (42 U.S.C. 7506(c)) is amended*
7 *by adding the following new paragraphs at the end thereof:*

8 *“(9) LAPSE OF CONFORMITY.—If a conformity*
9 *determination required under this subsection for a*
10 *transportation plan under section 5213(g) of title 49*
11 *of the United States Code or a transportation im-*
12 *provement program under section 5213(h) of title 49*
13 *of the United States Code is not made by the applica-*
14 *ble deadline and such failure is not corrected by addi-*
15 *tional measures to either reduce motor vehicle emis-*
16 *sions sufficient to demonstrate compliance with the*
17 *requirements of this subsection within 12 months*
18 *after such deadline or other measures sufficient to cor-*
19 *rect such failures, the transportation plan shall lapse.*

20 *“(10) LAPSE.—The term ‘lapse’ means that the*
21 *conformity determination for a transportation plan*
22 *or transportation improvement program has expired,*
23 *and thus there is no currently conforming transpor-*
24 *tation plan or transportation improvement pro-*
25 *gram.”.*

1 **SEC. 1825. ELIGIBILITY TO PARTICIPATE IN WESTERN ALAS-**
2 **KA COMMUNITY DEVELOPMENT QUOTA PRO-**
3 **GRAM.**

4 *A community is deemed to be eligible to participate*
5 *in the western Alaska community development quota pro-*
6 *gram established under section 305(i) of the Magnuson-Ste-*
7 *vens Fishery Conservation and Management Act (16 U.S.C.*
8 *1855(i)) if the community—*

9 *(1) is listed in table 7 to part 679 of title 50,*
10 *Code of Federal Regulations, as in effect on March 8,*
11 *2004; or*

12 *(2) was determined to be eligible participate in*
13 *such program by the National Marine Fisheries Serv-*
14 *ice on April 19, 1999.*

15 **SEC. 1826. METROPOLITAN REGIONAL FREIGHT AND PAS-**
16 **SENGER TRANSPORTATION STUDY.**

17 *(a) IN GENERAL.—The Secretary shall enter into an*
18 *agreement with a partnership comprised of 2 institutions*
19 *of higher learning to study metropolitan regional freight*
20 *and passenger transportation and system-wide performance*
21 *utilizing an interdisciplinary technique of supply chain*
22 *management, geographic information systems, and urban/*
23 *suburban planning and management.*

24 *(b) CONTENTS OF STUDY.—The study under this sec-*
25 *tion shall include, at a minimum, evaluations of—*

1 **SEC. 1828. ADVANCED TRUCK STOP ELECTRIFICATION SYS-**
2 **TEM.**

3 (a) *DEFINITION.*—Section 101(a) of title 23, United
4 States Code, as amended by section 1202 of this Act, is fur-
5 ther amended by adding at the end the following:

6 “(40) *ADVANCED TRUCK STOP ELECTRIFICATION*
7 *SYSTEM.*—The term ‘advanced truck stop electrifica-
8 tion system’ means a stationary system that delivers
9 heat, air conditioning, electricity, and communica-
10 tions, and is capable of providing verifiable evidence
11 of use of those services, to a heavy-duty vehicle and
12 any occupants of the heavy-duty vehicle without rely-
13 ing on components mounted onboard the heavy-duty
14 vehicle for delivery of those services.”.

15 (b) *ELIGIBILITY UNDER STP.*—Section 133(b)(6) of
16 such title is amended by inserting “, including advanced
17 truck stop electrification systems” before the period at the
18 end.

19 **SEC. 1829. TECHNOLOGY.**

20 States are encouraged to consider using a non-destructive
21 technology able to detect cracks including sub-surface
22 flaws as small as 0.005 inches in length or depth in steel
23 bridges.

1 **SEC. 1830. EXTENSION OF PUBLIC TRANSIT VEHICLE EX-**
2 **EMPTION FROM AXLE WEIGHT RESTRIC-**
3 **TIONS.**

4 *Section 1023(h)(1) of the Intermodal Surface Trans-*
5 *portation Efficiency Act of 1991 (23 U.S.C. 127 note; 106*
6 *Stat. 1552) is amended by striking “2005” and inserting*
7 *“2009”.*

8 **SEC. 1831. MOTORCYCLIST ADVISORY COUNCIL.**

9 *(a) IN GENERAL.—The Secretary, acting through the*
10 *Administrator of the Federal Highway Administration, in*
11 *consultation with the Committee on Transportation and In-*
12 *frastructure of the House of Representatives and the Com-*
13 *mittee on Environment and Public Works of the Senate,*
14 *shall appoint a Motorcyclist Advisory Council to coordinate*
15 *with and advise the Administrator on infrastructure issues*
16 *of concern to motorcyclists, including—*

17 *(1) barrier design;*

18 *(2) road design, construction, and maintenance*
19 *practices; and*

20 *(3) the architecture and implementation of intel-*
21 *ligent transportation system technologies.*

22 *(b) COMPOSITION.—The Council shall consist of not*
23 *more than 10 members of the motorcycling community with*
24 *professional expertise in national motorcyclist safety advo-*
25 *cacy, including—*

26 *(1) at least—*

1 (A) 1 member recommended by a national
2 motorcyclist association;

3 (B) 1 member recommended by a national
4 motorcycle riders foundation;

5 (C) 1 representative of the National Asso-
6 ciation of State Motorcycle Safety Administra-
7 tors;

8 (D) 2 members of State motorcyclists' orga-
9 nizations;

10 (E) 1 member recommended by a national
11 organization that represents the builders of high-
12 way infrastructure;

13 (F) 1 member recommended by a national
14 association that represents the traffic safety sys-
15 tems industry; and

16 (G) 1 member of a national safety organiza-
17 tion; and

18 (2) at least 1, and not more than 2, motorcy-
19 clists who are traffic system design engineers or State
20 transportation department officials.

21 **SEC. 1832. SHARING OF MONETARY RECOVERIES.**

22 Notwithstanding any other provision of law, monetary
23 judgments accruing to the Government from judgments in
24 Federal criminal prosecutions and civil proceedings per-
25 taining to fraud in Federally funded highway and public

1 *transportation projects and programs shall be treated as fol-*
2 *lows:*

3 (1) *Any amount less than or equal to the single*
4 *damages incurred as the result of such fraud shall be*
5 *credited to the Federal account from which the funds*
6 *for the project or program that is at issue in the*
7 *fraud came, except to the extent that such Federal ac-*
8 *count has been credited as the result of any judgment*
9 *in favor of a grant recipient.*

10 (2) *Any amount in excess of the amount credited*
11 *pursuant to paragraph (1) shall be shared with the*
12 *State or other recipient involved if—*

13 (A) *the State or other recipient enters into*
14 *a legally binding agreement with the Secretary*
15 *to use the funds for a purpose eligible for Federal*
16 *assistance under title 23 or chapter 53 of title*
17 *49, United States Code, as the case may be;*

18 (B) *the amount to be shared with the State*
19 *or other recipient is determined by the Attorney*
20 *General, in consultation with the Secretary; and*

21 (C) *the Attorney General, in consultation*
22 *with the Secretary, determines that the fraud did*
23 *not occur as a result of negligent oversight or ac-*
24 *tual involvement in the fraud by the State or*

1 *other recipient or any senior official of the State*
2 *or other recipient.*

3 **SEC. 1833. ELIGIBILITY UNDER CMAQ.**

4 *Section 149(b)(4) of title 23, United States Code is*
5 *amended by inserting “, including advanced truck stop elec-*
6 *trification systems,” after “facility or program”.*

7 **SEC. 1834. SENSE OF CONGRESS REGARDING BUY AMERICA.**

8 *It is the sense of Congress that—*

9 (1) *the Buy America test required by section 165*
10 *of the Surface Transportation Assistance Act of 1982*
11 *(23 U.S.C. 101 note) needs to be applied to an entire*
12 *bridge project and not only to component parts of*
13 *such project;*

14 (2) *the law clearly states that domestic materials*
15 *must be used in Federal highway projects unless there*
16 *is a finding that the inclusion of domestic materials*
17 *will increase the cost of the overall project by more*
18 *than 25 percent;*

19 (3) *uncertainty regarding how to apply Buy*
20 *America laws for major bridge projects threatens the*
21 *domestic bridge industry;*

22 (4) *the Nation’s unemployment rate continues to*
23 *hover around 5.6 percent, steps are needed to protect*
24 *American workers and the domestic bridge building*
25 *industry; and*

1 (5) *the Buy American Act (41 U.S.C. 10a et*
2 *seq.) was designed to ensure that, when taxpayer*
3 *money is spent on direct Federal Government pro-*
4 *curement and infrastructure projects, these expendi-*
5 *tures stimulate United States production and job cre-*
6 *ation.*

7 **SEC. 1835. COMMUNITY ENHANCEMENT STUDY.**

8 (a) *IN GENERAL.—The Secretary shall conduct a*
9 *study on—*

10 (1) *the role of well-designed transportation*
11 *projects in—*

12 (A) *promoting economic development;*

13 (B) *protecting public health, safety and the*
14 *environment; and*

15 (C) *enhancing the architectural design and*
16 *planning of communities; and*

17 (2) *the positive economic, cultural, aesthetic, sce-*
18 *nic, architectural, and environmental benefits of such*
19 *projects for communities.*

20 (b) *CONTENTS.—The study shall address the following:*

21 (1) *The degree to which well-designed transpor-*
22 *tation projects have positive economic, cultural, aes-*
23 *thetic, scenic, architectural, and environmental bene-*
24 *fits for communities.*

1 (2) *The degree to which such projects protect and*
2 *contribute to improvements in public health and safe-*
3 *ty.*

4 (3) *The degree to which such projects use inclu-*
5 *sive public participation processes to achieve quicker,*
6 *more certain, and better results.*

7 (4) *The degree to which positive results are*
8 *achieved by linking transportation, design, and the*
9 *implementation of community visions for the future.*

10 (5) *Facilitating the use of successful models or*
11 *best practices in transportation investment or devel-*
12 *opment to accomplish each of the following:*

13 (A) *Enhancement of community identity.*

14 (B) *Protection of public health and safety.*

15 (C) *Provision of a variety of choices in*
16 *housing, shopping, transportation, employment,*
17 *and recreation.*

18 (D) *Preservation and enhancement of exist-*
19 *ing infrastructure.*

20 (E) *Creation of a greater sense of commu-*
21 *nity through public involvement.*

22 (c) *REPORT.—Not later than September 20, 2006, the*
23 *Secretary shall transmit to the Committee on Transpor-*
24 *tation and Infrastructure of the House of Representatives*

1 *and the Committee on Environment and Public Works of*
2 *the Senate a report on the results of the study.*

3 (d) *ADMINISTRATION.*—*To carry out this section, the*
4 *Secretary shall make a grant to, or enter into a cooperative*
5 *agreement or contract with, a national organization rep-*
6 *resenting architects who have expertise in the design of a*
7 *wide range of transportation and infrastructure projects,*
8 *which include the design of buildings, public facilities, and*
9 *surrounding communities.*

10 (e) *AUTHORIZATION.*—*Of the amounts made available*
11 *to carry out section 1221 of the Transportation Equity Act*
12 *for the 21st Century (23 U.S.C. 101 note), \$1,000,000 shall*
13 *be available for each of fiscal year 2005 and fiscal year*
14 *2006 to carry out this section; except that notwithstanding*
15 *section 1221(e)(2) of such Act, the Federal share of the cost*
16 *of the study shall be 100 percent.*

17 **SEC. 1836. TRANSPORTATION AND LOCAL WORKFORCE IN-**
18 **VESTMENT.**

19 (a) *FINDINGS.*—*Congress finds the following:*

20 (1) *Federal-aid highway programs provide State*
21 *and local governments and other recipients substan-*
22 *tial funds for projects that produce significant em-*
23 *ployment and job-training opportunities.*

24 (2) *Every \$1,000,000,000 in Federal infrastruc-*
25 *ture investment creates an estimated 47,500 jobs.*

1 (3) *Jobs in transportation construction, includ-*
2 *ing apprenticeship positions, typically pay more than*
3 *twice the minimum wage, and include health and*
4 *other benefits.*

5 (4) *Transportation projects provide the impetus*
6 *for job training and employment opportunities for*
7 *low income individuals residing in the area in which*
8 *a transportation project is planned.*

9 (5) *Transportation projects can offer young peo-*
10 *ple, particularly those who are economically dis-*
11 *advantaged, the opportunity to gain productive em-*
12 *ployment.*

13 (6) *The Alameda Corridor, a \$2,400,000,000*
14 *transportation project, is an example of a transpor-*
15 *tation project that included a local hiring provision*
16 *resulting in a full 30 percent of the project jobs being*
17 *filled by locally hired and trained men and women.*

18 (b) *SENSE OF CONGRESS.—It is the sense of Congress*
19 *that Federal transportation projects should facilitate and*
20 *encourage the collaboration between interested persons, in-*
21 *cluding State, Federal, and local governments, community*
22 *colleges, apprentice programs, local high schools, and other*
23 *community based organizations that have an interest in*
24 *improving the job skills of low-income individuals, to help*
25 *leverage scarce training and community resources and to*

1 *help ensure local participation in the building of transpor-*
2 *tation projects.*

3 **SEC. 1837. SPECIAL RULE FOR FISCAL YEAR 2004.**

4 *In any case in which an amount is authorized to be*
5 *appropriated, made available, allocated, set aside, taken*
6 *down, or subject to an obligation limitation for fiscal year*
7 *2004 for a program, project, or activity in any provision*
8 *of this title, including an amendment made by this title,*
9 *that is different than the amount authorized to be appro-*
10 *priated, made available, allocated, set aside, taken down,*
11 *or subject to an obligation limitation for fiscal year 2004*
12 *for such program, project, or activity in any provision of*
13 *the Surface Transportation Extension Act of 2004, Part V*
14 *(Public Law 108–310), including any amendment made by*
15 *such Act, the amount referred to in such Act shall be the*
16 *amount authorized to be appropriated, made available, al-*
17 *located, set aside, taken down, or subject to an obligation*
18 *limitation.*

19 **TITLE II—HIGHWAY SAFETY**

20 **SEC. 2001. AUTHORIZATION OF APPROPRIATIONS.**

21 *(a) IN GENERAL.—The following sums are authorized*
22 *to be appropriated out of the Highway Trust Fund (other*
23 *than the Mass Transit Account):*

24 *(1) HIGHWAY SAFETY PROGRAMS.—For carrying*
25 *out section 402 of title 23, United States Code,*

1 \$164,027,000 for fiscal year 2004, \$163,680,000 for
2 fiscal year 2005, \$229,000,000 for fiscal year 2006,
3 \$232,000,000 for fiscal year 2007, \$238,000,000 for
4 fiscal year 2008, and \$245,000,000 for fiscal year
5 2009.

6 (2) OCCUPANT PROTECTION INCENTIVE
7 GRANTS.—For carrying out section 405 of title 23,
8 United States Code, \$19,882,000 for fiscal year 2004,
9 \$19,840,000 for fiscal year 2005, \$136,000,000 for fis-
10 cal year 2006, \$139,000,000 for fiscal year 2007,
11 \$143,000,000 for fiscal year 2008, and \$150,000,000
12 for fiscal year 2009.

13 (3) ALCOHOL-IMPAIRED DRIVING COUNTER-
14 MEASURES INCENTIVE GRANT PROGRAM.—For car-
15 rying out section 410 of title 23, United States Code,
16 \$39,764,000 for fiscal year 2004, \$39,680,000 for fis-
17 cal year 2005, \$129,000,000 for fiscal year 2006,
18 \$133,000,000 for fiscal year 2007, \$138,000,000 for
19 fiscal year 2008, and \$144,000,000 for fiscal year
20 2009.

21 (4) STATE TRAFFIC SAFETY INFORMATION IM-
22 PROVEMENTS.—For carrying out section 412 of title
23 23, United States Code, \$30,000,000 for fiscal year
24 2006, \$35,000,000 for fiscal year 2007, \$40,000,000

1 for fiscal year 2008, and \$40,000,000 for fiscal year
2 2009.

3 (5) *NATIONAL DRIVER REGISTER.*—For carrying
4 out chapter 303 of title 49, United States Code, by the
5 National Highway Traffic Safety Administration,
6 \$3,976,000 for fiscal year 2004, \$3,968,000 for fiscal
7 year 2005, and \$4,000,000 for each of fiscal years
8 2006 through 2009.

9 (6) *HIGH VISIBILITY ENFORCEMENT PROGRAM.*—
10 For carrying out section 2005 of this title,
11 \$15,000,000 for each of fiscal years 2006 through
12 2009.

13 (b) *APPLICABILITY OF TITLE 23.*—Except as otherwise
14 provided in chapter 4 of title 23, United States Code, and
15 this title, amounts made available under subsection (a) for
16 each of fiscal years 2004 through 2009 shall be available
17 for obligation in the same manner as if such funds were
18 apportioned under chapter 1 of title 23, United States Code.

19 (c) *TRANSFERS.*—In each fiscal year, the Secretary
20 may transfer any amounts remaining available under
21 paragraph (2), (3), or (4) of subsection (a) to the amounts
22 made available under any other of such paragraphs in
23 order to ensure, to the maximum extent possible, that each
24 State receives the maximum incentive funding for which the

1 *State is eligible under sections 405, 410, and 412 of title*
2 *23, United States Code.*

3 **SEC. 2002. OCCUPANT PROTECTION INCENTIVE GRANTS.**

4 (a) *GENERAL AUTHORITY.*—Section 405(a) of title 23,
5 *United States Code, is amended—*

6 (1) *in paragraph (2) by striking “Transportation Equity Act for the 21st Century” and inserting*
7 *“Transportation Equity Act: A Legacy for Users”;*
8

9 (2) *in paragraph (3) by striking “1997” and in-*
10 *serting “2003”; and*

11 (3) *in paragraphs (4)(A), (4)(B), and (4)(C) by*
12 *inserting after “years” the following: “beginning after*
13 *September 30, 2003.”.*

14 (b) *GRANT ELIGIBILITY.*—Section 405(b) of title 23,
15 *United States Code, is amended by striking “A State shall*
16 *become eligible” and inserting the following: “A State shall*
17 *be eligible for a grant under this section if the State has*
18 *a seat belt usage rate of 85 percent or greater as of the date*
19 *of the grant, as determined by the Secretary. A State shall*
20 *also become eligible”.*

21 (c) *GRANT AMOUNTS.*—Section 405(c) of title 23,
22 *United States Code, is amended—*

23 (1) *by striking “25 percent” and inserting “100*
24 *percent”; and*

25 (2) *by striking “1997” and inserting “2003”.*

1 **SEC. 2003. ALCOHOL-IMPAIRED DRIVING COUNTER-**
2 **MEASURES.**

3 (a) *GENERAL AUTHORITY.*—Section 410(a) of title 23,
4 *United States Code*, is amended—

5 (1) in paragraph (2) by striking “*Transportation Equity Act for the 21st Century*” and inserting
6 “*Transportation Equity Act: A Legacy for Users*”;

8 (2) in paragraph (3) by striking “1997” and in-
9 serting “2003”; and

10 (3) in paragraphs (4)(A), (4)(B), and (4)(C) by
11 inserting after “years” the following: “beginning after
12 September 30, 2003,”.

13 (b) *BASIC GRANT A.*—Section 410(b)(1) of title 23,
14 *United States Code*, is amended—

15 (1) by striking “A State shall become eligible”
16 and inserting the following: “A State shall be eligible
17 for a grant under this paragraph if the State has an
18 alcohol-related fatality rate per 100,000,000 vehicle
19 miles traveled of 0.5 or less as of the date of the grant,
20 as determined by the Secretary using the *Fatality*
21 *Analysis Reporting System of the National Highway*
22 *Traffic Safety Administration*. A State shall also be-
23 come eligible”;

24 (2) by striking “at least 5 of the following” and
25 inserting “at least 6 of the following for fiscal year

1 *2005 and fiscal year 2006 and at least 7 of the fol-*
2 *lowing for each fiscal year thereafter”;*

3 *(3) in subparagraph (A)—*

4 *(A) by striking “and” at the end of clause*
5 *(i)(II);*

6 *(B) by striking the period at the end of*
7 *clause (ii) and inserting a semicolon; and*

8 *(C) by adding at the end the following:*

9 *“(iii) the suspension referred to under*
10 *clause (i)(I) may allow an individual to op-*
11 *erate a motor vehicle, after the 15-day pe-*
12 *riod beginning on the date of the suspen-*
13 *sion, to and from employment, school, or an*
14 *alcohol treatment program if an ignition*
15 *interlock device is installed on each of the*
16 *motor vehicles owned or operated, or both,*
17 *by the individual; and*

18 *“(iv) the suspension and revocation re-*
19 *ferred to under clause (i)(II) may allow an*
20 *individual to operate a motor vehicle, after*
21 *the 45-day period beginning on the date of*
22 *the suspension or revocation, to and from*
23 *employment, school, or an alcohol treatment*
24 *program if an ignition interlock device is*
25 *installed on each of the motor vehicles*

1 *owned or operated, or both, by the indi-*
2 *vidual.”;*

3 (4) *in subparagraph (B)—*

4 (A) *by striking “may include the issuance”*
5 *and inserting the following:*

6 *“may include—*

7 *“(i) the issuance”; and*

8 (B) *by striking the period at the end and*
9 *inserting “; and” and the following:*

10 *“(ii) a program provided by a non-*
11 *profit organization for training point of*
12 *sale personnel concerning, at a minimum,*
13 *the following:*

14 *“(I) the clinical effects of alcohol;*

15 *“(II) methods of preventing sec-*
16 *ond party sales of alcohol;*

17 *“(III) recognizing signs of intoxi-*
18 *cation;*

19 *“(IV) methods to prevent underage*
20 *drinking;*

21 *“(V) Federal, State, and local*
22 *laws that are relevant to such per-*
23 *sonnel.”;*

24 (5) *by striking subparagraph (F) and inserting*
25 *the following:*

1 “(F) *OUTREACH PROGRAM.*—A judicial and
2 *prosecutorial education, training, and outreach*
3 *program that provides information on the appro-*
4 *priateness and effectiveness of sentencing op-*
5 *tions.”; and*

6 (6) *by adding at the end the following:*

7 “(H) *SELF-SUSTAINING DRUNK DRIVING*
8 *PREVENTION PROGRAM.*—A self-sustaining drunk
9 *driving prevention program under which a sig-*
10 *nificant portion of the fines or surcharges col-*
11 *lected from individuals apprehended and fined*
12 *for operating a motor vehicle while under the in-*
13 *fluence of alcohol are returned to those commu-*
14 *nities that have comprehensive programs for the*
15 *prevention of such operations of motor vehicles.*

16 “(I) *PROGRAMS FOR EFFECTIVE ALCOHOL*
17 *REHABILITATION.*—A program for effective inpa-
18 *tient and outpatient alcohol rehabilitation based*
19 *on mandatory assessment and appropriate treat-*
20 *ment for repeat offenders described in subpara-*
21 *graph (A)(i)(II).*

22 “(J) *PROGRAM FOR THE IMPOUNDMENT OF*
23 *VEHICLES.*—A program to impound a vehicle op-
24 *erated by a person who is arrested for operating*

1 *that vehicle while under the influence of alco-*
2 *hol.”.*

3 (c) *BASIC GRANT B.—Section 410(b) of title 23,*
4 *United States Code, is amended—*

5 (1) *by striking paragraph (2) and inserting the*
6 *following:*

7 “(2) *BASIC GRANT B.—A State shall become eli-*
8 *gible for a grant under this paragraph if the State—*

9 “(A) *has an alcohol-related fatality rate per*
10 *100,000,000 vehicle miles traveled of 0.8 or more*
11 *as of the date of the grant, as determined by the*
12 *Secretary using the Fatality Analysis Reporting*
13 *System of the National Highway Traffic Safety*
14 *Administration; and*

15 “(B) *establishes, subject to such require-*
16 *ments as the Secretary may prescribe, a task*
17 *force to evaluate and recommend changes to the*
18 *State’s drunk driving programs.”; and*

19 (2) *in paragraph (3)—*

20 (A) *by striking “25 percent” and inserting*
21 *“100 percent”; and*

22 (B) *by striking “1997” and inserting*
23 *“2003”.*

24 (d) *SUPPLEMENTAL GRANTS.—Section 410(c) of title*
25 *23, United States Code, is amended to read as follows:*

1 “(c) *ALLOCATION FOR BASIC GRANT B.*—Not more
2 than \$20,000,000 per fiscal year of amounts made available
3 to carry out this section shall be available for making
4 grants under subsection (b)(2).”.

5 (e) *EFFECTIVE DATE.*—The amendments made by this
6 section shall take effect on September 30, 2005.

7 **SEC. 2004. STATE TRAFFIC SAFETY INFORMATION SYSTEM**
8 **IMPROVEMENTS.**

9 (a) *IN GENERAL.*—Chapter 4 of title 23, United States
10 Code, is amended by adding at the end the following:

11 **“§412. State traffic safety information system im-**
12 **provements**

13 “(a) *GENERAL AUTHORITY.*—

14 “(1) *AUTHORITY TO MAKE GRANTS.*—Subject to
15 the requirements of this section, the Secretary shall
16 make grants to States that adopt and implement ef-
17 fective programs to—

18 “(A) improve the timeliness, accuracy, com-
19 pleteness, uniformity, integration, and accessi-
20 bility of the safety data of the State that is need-
21 ed to identify priorities for national, State, and
22 local highway and traffic safety programs;

23 “(B) evaluate the effectiveness of efforts to
24 make such improvements;

1 “(C) link these State data systems, includ-
2 ing traffic records, with other data systems with-
3 in the State, such as systems that contain med-
4 ical, roadway, and economic data; and

5 “(D) improve the compatibility and inter-
6 operability of the data systems of the State with
7 national data systems and data systems of other
8 States and enhance the ability of the Secretary
9 to observe and analyze national trends in crash
10 occurrences, rates, outcomes, and circumstances.

11 “(2) USE OF GRANTS.—A State may use a grant
12 received under this section only to implement such
13 programs.

14 “(3) MODEL DATA ELEMENTS.—The Secretary,
15 in consultation with States and other appropriate
16 parties, shall determine the model data elements nec-
17 essary to observe and analyze State and national
18 trends in crash occurrences, rates, outcomes, and cir-
19 cumstances. In order to become eligible for a grant
20 under this section, a State shall certify to the Sec-
21 retary the State’s adoption and use of such model
22 data elements.

23 “(4) MAINTENANCE OF EFFORT.—No grant may
24 be made to a State under this section in any fiscal
25 year unless the State enters into such agreements with

1 *the Secretary as the Secretary may require ensuring*
2 *that the State will maintain its aggregate expendi-*
3 *tures from all other sources for highway safety data*
4 *programs at or above the average level of such expendi-*
5 *tures in the 2 fiscal years preceding the date of en-*
6 *actment of this section.*

7 “(5) *FEDERAL SHARE.*—*The Federal share of the*
8 *cost of implementing in a fiscal year a program of*
9 *a State pursuant to paragraph (1) shall not exceed 80*
10 *percent.*

11 “(b) *FIRST-YEAR GRANTS.*—*To be eligible for a first-*
12 *year grant under this section, a State shall demonstrate to*
13 *the satisfaction of the Secretary that the State has—*

14 “(1) *established a highway safety data and traf-*
15 *fic records coordinating committee with a multidisci-*
16 *plinary membership that includes, among others,*
17 *managers, collectors, and users of traffic records and*
18 *public health and injury control data systems; and*

19 “(2) *developed a multiyear highway safety data*
20 *and traffic records system strategic plan that address-*
21 *es existing deficiencies in the State’s highway safety*
22 *data and traffic records system and is approved by*
23 *the highway safety data and traffic records coordi-*
24 *nating committee and—*

1 “(A) specifies how existing deficiencies in
2 the State’s highway safety data and traffic
3 records system were identified;

4 “(B) prioritizes, based on the identified
5 highway safety data and traffic records system
6 deficiencies, the highway safety data and traffic
7 records system needs and goals of the State, in-
8 cluding the activities described in subsection
9 (a)(1);

10 “(C) identifies performance-based measures
11 by which progress toward those goals will be de-
12 termined;

13 “(D) specifies how the grant funds and any
14 other funds of the State will be used to address
15 needs and goals identified in the multiyear plan;
16 and

17 “(E) includes a current report on the
18 progress in implementing the multiyear plan
19 that documents progress toward the specified
20 goals.

21 “(c) SUCCEEDING-YEAR GRANTS.—

22 “(1) ELIGIBILITY.—A State shall be eligible for
23 a grant under this section in a fiscal year succeeding
24 the first fiscal year in which the State receives a

1 *grant under subsection (b) if the State, to the satisfac-*
2 *tion of the Secretary—*

3 “(A) *submits an updated multiyear plan*
4 *that meets the requirements of subsection (b)(2);*

5 “(B) *certifies that its highway safety data*
6 *and traffic records coordinating committee con-*
7 *tinues to operate and supports the multiyear*
8 *plan;*

9 “(C) *specifies how the grant funds and any*
10 *other funds of the State will be used to address*
11 *needs and goals identified in the multiyear plan;*

12 “(D) *demonstrates measurable progress to-*
13 *ward achieving the goals and objectives identi-*
14 *fied in the multiyear plan; and*

15 “(E) *includes a current report on the*
16 *progress in implementing the multiyear plan.*

17 “(d) *GRANT AMOUNTS.—*

18 “(1) *IN GENERAL.—The amount of a grant made*
19 *to a State for a fiscal year under this section shall*
20 *equal an amount determined by multiplying—*

21 “(A) *the amount appropriated to carry out*
22 *this section for such fiscal year; by*

23 “(B) *the ratio that the funds apportioned to*
24 *the State under section 402 for fiscal year 2003*

1 *bears to the funds apportioned to all States*
2 *under section 402 for fiscal year 2003.*

3 “(2) *MINIMUM AMOUNT.—Notwithstanding sub-*
4 *paragraph (A)—*

5 “(A) *a State eligible for a first-year grant*
6 *under this section shall not receive less than*
7 *\$300,000; and*

8 “(B) *a State eligible for a succeeding-year*
9 *grant under this section shall not receive less*
10 *than \$500,000.*

11 “(e) *ADMINISTRATIVE EXPENSES.—Funds authorized*
12 *to be appropriated to carry out this section in a fiscal year*
13 *shall be subject to a deduction not to exceed 5 percent for*
14 *the necessary costs of administering the provisions of this*
15 *section.*

16 “(f) *APPLICABILITY OF CHAPTER 1.—The provisions*
17 *contained in section 402(d) shall apply to this section.”.*

18 “(b) *CONFORMING AMENDMENT.—The analysis for*
19 *chapter 4 of title 23, United States Code, is amended by*
20 *adding at the end the following:*

 “412. *State traffic safety information system improvements.”.*

21 **SEC. 2005. HIGH VISIBILITY ENFORCEMENT PROGRAM.**

22 *The Secretary shall establish a program to support na-*
23 *tional impaired driving mobilization and enforcement ef-*
24 *forts and national safety belt mobilization and enforcement,*

1 *including the purchase of national paid advertisement (in-*
2 *cluding production and placement) to support such efforts.*

3 **SEC. 2006. MOTORCYCLE CRASH CAUSATION STUDY.**

4 (a) *IN GENERAL.*—Using funds made available to
5 carry out section 403 of title 23, United States Code, the
6 Secretary shall conduct a study of the causes of motorcycle
7 crashes.

8 (b) *REPORT.*—Not later than 3 years after the date
9 of enactment of this Act, the Secretary shall transmit to
10 Congress a report on the results of the study.

11 **SEC. 2007. CHILD SAFETY AND CHILD BOOSTER SEAT IN-**
12 **CENTIVE GRANTS.**

13 (a) *GENERAL AUTHORITY.*—Subject to the require-
14 ments of this section, the Secretary shall make grants to
15 States that enact or have enacted and are enforcing a law
16 requiring that children riding in passenger motor vehicles
17 who are too large to be secured in a child safety seat be
18 secured in a child restraint that meets the requirements pre-
19 scribed by the Secretary under section 3 of Anton's Law
20 (116 Stat. 2772).

21 (b) *MAINTENANCE OF EFFORT.*—No grant may be
22 made to a State under this section in a fiscal year unless
23 the State enters into such agreements with the Secretary
24 as the Secretary may require to ensure that the State will
25 maintain its aggregate expenditures from all other sources

1 *for child safety seat and child booster seat programs at or*
2 *above the average level of such expenditures in its 2 fiscal*
3 *years preceding the date of enactment of this Act.*

4 (c) *FEDERAL SHARE.—The Federal share of the cost*
5 *of implementing and enforcing in a fiscal year a law adopt-*
6 *ed by a State under subsection (a) shall not exceed—*

7 (1) *for the first 3 fiscal years for which a State*
8 *receives a grant under this section, 75 percent; and*

9 (2) *for the fourth fiscal year for which a State*
10 *receives a grant under this section, 50 percent.*

11 (d) *GRANT ELIGIBILITY.—*

12 (1) *IN GENERAL.—A State is eligible for a grant*
13 *under this section if the State has in effect and en-*
14 *forces a law described in subsection (a).*

15 (2) *MAXIMUM PERIOD OF ELIGIBILITY.—No*
16 *State may receive grants under this section in more*
17 *than 4 fiscal years beginning after September 30,*
18 *2005.*

19 (e) *ELIGIBLE USES OF FUNDS.—A State may use a*
20 *grant under this section only to carry out child safety seat*
21 *and child booster seat programs, including the following:*

22 (1) *A program to educate the public concerning*
23 *the proper use and installation of child safety seats*
24 *and child booster seats.*

1 (2) *A program to train child passenger safety*
2 *professionals, police officers, fire and emergency med-*
3 *ical personnel, and educators concerning all aspects of*
4 *the use of child safety seats and booster seats.*

5 (3) *A program to purchase and distribute child*
6 *safety seats, child booster seats, and other appropriate*
7 *passenger motor vehicle child restraints to families*
8 *that cannot otherwise afford such seats or restraints.*

9 (4) *A program to support enforcement of child*
10 *restraint laws.*

11 (f) *GRANT AMOUNT.*—*The amount of a grant to a*
12 *State for a fiscal year under this section may not exceed*
13 *25 percent of the amount apportioned to the State for fiscal*
14 *year 2003 under section 402 of title 23, United States Code.*

15 (g) *ADMINISTRATIVE EXPENSES.*—*Funds authorized*
16 *to be appropriated to carry out this section in a fiscal year*
17 *shall be subject to a deduction not to exceed 2.5 percent for*
18 *the necessary costs of administering the provisions of this*
19 *section.*

20 (h) *APPLICABILITY OF CHAPTER 1.*—*The provisions*
21 *contained in section 402(d) of title 23, United States Code,*
22 *apply to this section.*

23 (i) *REPORT.*—*Each State to which a grant is made*
24 *under this section shall transmit to the Secretary a report*
25 *documenting the manner in which grant amounts were obli-*

1 *gated and expended and identifying the specific programs*
2 *carried out with or supported by grant funds. The report*
3 *shall be in a form prescribed by the Secretary and may*
4 *be combined with other State grant reporting requirements*
5 *under of chapter 4 of title 23, United States Code.*

6 (j) *DEFINITIONS.—In this section, the following defini-*
7 *tions apply:*

8 (1) *CHILD RESTRAINT.—The term “child re-*
9 *straint” means any product designed to provide re-*
10 *straint to a child (including booster seats and other*
11 *products used with a lap and shoulder belt assembly)*
12 *that meets applicable Federal motor vehicle safety*
13 *standards prescribed by the National Highway Traf-*
14 *fic Safety Administration.*

15 (2) *CHILD SAFETY SEAT.—The term “child safe-*
16 *ty seat” has the meaning such term has in section*
17 *405(f) of title 23, United States Code.*

18 (3) *PASSENGER MOTOR VEHICLE.—The term*
19 *“passenger motor vehicle” has the meaning such term*
20 *has in such section 405(f).*

21 (4) *STATE.—The term “State” has the meaning*
22 *such term has in section 101 (a) of such title.*

23 (k) *AUTHORIZATION OF APPROPRIATIONS.—There is*
24 *authorized to be appropriated to carry out this section from*
25 *the Highway Trust Fund (other than the Mass Transit Ac-*

1 count) \$6,000,000 for each of fiscal years 2006 through 2008
2 and \$7,000,000 for fiscal year 2009.

3 **SEC. 2008. MOTORCYCLIST SAFETY.**

4 (a) *AUTHORITY TO MAKE GRANTS.*—Subject to the re-
5 quirements of this section, the Secretary shall make grants
6 to States that adopt and implement effective programs to
7 reduce the number of single- and multi-vehicle crashes in-
8 volving motorcyclists.

9 (b) *MAINTENANCE OF EFFORT.*—No grant may be
10 made to a State under this section in a fiscal year unless
11 the State enters into such agreements with the Secretary
12 as the Secretary may require to ensure that the State will
13 maintain its aggregate expenditures from all the other
14 sources for motorcyclist safety training programs and mo-
15 torcyclist awareness programs at or above the average level
16 of such expenditures in its 2 fiscal years preceding the date
17 of enactment of this Act.

18 (c) *MAXIMUM PERIOD OF ELIGIBILITY.*—No State
19 may receive grants under this section in more than 4 fiscal
20 years beginning after September 30, 2005.

21 (d) *FEDERAL SHARE.*—The Federal share of the cost
22 of implementing and enforcing, as appropriate, in a fiscal
23 year a program adopted by a State in accordance with sub-
24 section (a) shall not exceed—

1 (1) *for the first 3 years for which a State re-*
2 *ceives a grant under this section, 75 percent; and*

3 (2) *for the fourth fiscal year for which a State*
4 *receives a grant under this section, 50 percent.*

5 *(e) GRANT ELIGIBILITY.—*

6 (1) *IN GENERAL.—A State becomes eligible for a*
7 *grant under this section by adopting or dem-*
8 *onstrating to the satisfaction of the Secretary—*

9 (A) *for the first fiscal year for which the*
10 *State will receive a grant under this section, at*
11 *least 1 of the 6 criteria listed in paragraph (2);*

12 (B) *for the second, third, and fourth fiscal*
13 *years for which the State will receive a grant*
14 *under this section, at least 2 of the 6 criteria*
15 *listed in paragraph (2); and*

16 (C) *for any subsequent fiscal years for*
17 *which the State will receive a grant under this*
18 *section, at least 3 of the 6 criteria listed in para-*
19 *graph (2).*

20 (2) *CRITERIA.—The criteria for eligibility for a*
21 *grant under this section are the following:*

22 (A) *MOTORCYCLE RIDER TRAINING*
23 *COURSES.—An effective motorcycle rider train-*
24 *ing course that is offered throughout the State,*
25 *provides a formal program of instruction in ac-*

1 *cident avoidance and other safety-oriented oper-*
2 *ational skills to motorcyclists, and may include*
3 *innovative training opportunities to meet unique*
4 *regional needs.*

5 *(B) MOTORCYCLISTS AWARENESS PRO-*
6 *GRAM.—An effective statewide program to en-*
7 *hance motorist awareness of the presence of mo-*
8 *torcyclists on or near roadways and safe driving*
9 *practices that avoid injuries to motorcyclists.*

10 *(C) REDUCTION OF FATALITIES AND CRASH-*
11 *ES INVOLVING MOTORCYCLES.—A reduction for*
12 *the preceding calendar year in the number of*
13 *motorcycle fatalities and the rate of motor vehi-*
14 *cle crashes involving motorcycles in the State*
15 *(expressed as a function of 10,000 motorcycle*
16 *registrations).*

17 *(D) IMPAIRED DRIVING PROGRAM.—Imple-*
18 *mentation of a statewide program to reduce im-*
19 *paired driving, including specific measures to re-*
20 *duce impaired motorcycle operation.*

21 *(E) REDUCTION OF FATALITIES AND ACCI-*
22 *DENTS INVOLVING IMPAIRED MOTORCYCLISTS.—*
23 *A reduction for the preceding calendar year in*
24 *the number of fatalities and the rate of reported*
25 *crashes involving alcohol- or drug-impaired mo-*

1 *motorcycle operators (expressed as a function of*
2 *10,000 motorcycle registrations).*

3 *(F) FEES COLLECTED FROM MOTORCY-*
4 *CLISTS.—All fees collected by the State from mo-*
5 *torcyclists for the purposes of funding motorcycle*
6 *training and safety programs are used for mo-*
7 *torcycle training and safety programs.*

8 *(f) ELIGIBLE USES.—*

9 *(1) IN GENERAL.—A State may use funds from*
10 *a grant under this section only for motorcyclist safety*
11 *training and motorcyclist awareness programs, in-*
12 *cluding—*

13 *(A) improvements to motorcyclist safety*
14 *training curricula;*

15 *(B) improvements in program delivery of*
16 *motorcycle training to both urban and rural*
17 *areas, including—*

18 *(i) procurement or repair of practice*
19 *motorcycles;*

20 *(ii) instructional materials;*

21 *(iii) mobile training units; and*

22 *(iv) leasing or purchase of facilities for*
23 *classroom instruction and closed-course skill*
24 *training;*

1 (C) measures designed to increase the re-
2 cruitment or retention of motorcyclist safety
3 training instructors; and

4 (D) public awareness, public service an-
5 nouncements, and other outreach programs to en-
6 hance motorcyclist awareness.

7 (2) *SUBALLOCATIONS OF FUNDS.*—An agency
8 that receives a grant under this section may suballo-
9 cate funds from the grant to a nonprofit organization
10 incorporated in that State to carry out under this
11 section.

12 (g) *DEFINITIONS.*—In this section, the following defi-
13 nitions apply:

14 (1) *MOTORCYCLIST SAFETY TRAINING.*—The term
15 “motorcyclist safety training” means a formal pro-
16 gram of instruction that—

17 (A) provides accident avoidance and other
18 safety-oriented operational skills to motorcyclists;
19 and

20 (B) is approved for use in a State by the
21 designated State authority having jurisdiction
22 over motorcyclist safety issues.

23 (2) *MOTORCYCLIST AWARENESS.*—The term “mo-
24 torcyclist awareness” means individual or collective
25 awareness of—

1 (A) *the presence of motorcycles on or near*
2 *roadways; and*

3 (B) *safe driving practices that avoid injury*
4 *to motorcyclists.*

5 (3) *MOTORCYCLIST AWARENESS PROGRAM.—The*
6 *term “motorcyclist awareness program” means an in-*
7 *formational or public awareness program designed to*
8 *enhance motorcyclist awareness that is developed by*
9 *or in coordination with the designated State author-*
10 *ity having jurisdiction over motorcyclist safety issues.*

11 (4) *STATE.—The term “State” has the same*
12 *meaning such term has in section 101(a) of title 23,*
13 *United States Code.*

14 (h) *MAXIMUM GRANT AMOUNT.—The amount of a*
15 *grant made to a State for a fiscal year under this section*
16 *may not exceed 25 percent of the amount apportioned to*
17 *the State for fiscal year 2003 under section 402 of title 23,*
18 *United States Code.*

19 (i) *ADMINISTRATIVE EXPENSES.—Funds authorized to*
20 *be appropriated to carry out this section in a fiscal year*
21 *shall be subject to a deduction by the Secretary not to exceed*
22 *5 percent for the necessary costs of administering the provi-*
23 *sions of this section.*

24 (j) *AUTHORIZATION OF APPROPRIATIONS.—There is*
25 *authorized to be appropriated to carry out this section from*

1 *the Highway Trust Fund (other than the Mass Transit Ac-*
2 *count) \$6,000,000 for each of fiscal years 2006 through 2008*
3 *and \$7,000,000 for fiscal year 2009.*

4 *(k) APPLICABILITY OF TITLE 23.—Funds authorized*
5 *under this section shall be available for obligation in the*
6 *same manner as if the funds were apportioned under chap-*
7 *ter 1 of title 23, United States Code; except that such funds*
8 *shall not be transferable.*

9 **SEC. 2009. DRIVER FATIGUE.**

10 *Section 402(a) of title 23, United States Code, is*
11 *amended—*

12 *(1) by striking “and” before “(6)”;* and

13 *(2) by inserting before the period the following:*

14 *“; and (7) to reduce deaths and injuries resulting*
15 *from persons driving motor vehicles while fatigued”.*

16 **SEC. 2010. AUTHORIZATION OF APPROPRIATIONS FOR**
17 **HIGHWAY SAFETY RESEARCH AND DEVELOP-**
18 **MENT.**

19 *(a) IN GENERAL.—There is authorized to be appro-*
20 *priated out of the Highway Trust Fund (other than the*
21 *Mass Transit Account) for carrying out section 403 of title*
22 *23, United States Code, \$71,575,000 for fiscal year 2004,*
23 *\$71,424,000 for fiscal year 2005, and \$75,000,000 for each*
24 *of fiscal years 2006 through 2009.*

1 (b) *APPLICABILITY OF TITLE 23.*—*Except as otherwise*
2 *provided in chapter 4 of title 23, United States Code, and*
3 *this title, amounts made available under subsection (a) for*
4 *each of fiscal years 2004 through 2009 shall be available*
5 *for obligation in the same manner as if such funds were*
6 *apportioned under chapter 1 of title 23, United States Code.*

7 **SEC. 2011. SAFETY DATA.**

8 (a) *IN GENERAL.*—*Using funds made available to*
9 *carry out section 403 of title 23, United States Code, for*
10 *fiscal years 2005 through 2009, the Secretary shall collect*
11 *data and compile statistics on accidents involving motor*
12 *vehicles being backed up that result in fatalities and inju-*
13 *ries and that occur on public and nonpublic roads and resi-*
14 *dential and commercial driveways and parking facilities.*

15 (b) *REPORT.*—*Not later than January 1, 2009, the*
16 *Secretary shall transmit to the Committee on Transpor-*
17 *tation and Infrastructure of the House of Representatives*
18 *and the Committee on Commerce, Science, and Transpor-*
19 *tation of the Senate a report on accidents described in sub-*
20 *section (a), including the data collected and statistics com-*
21 *puted under subsection (a) and any recommendations re-*
22 *garding measures to be taken to reduce the number of such*
23 *accidents and the resulting fatalities and injuries.*

1 **SEC. 2012. DRIVER PERFORMANCE STUDY.**

2 (a) *IN GENERAL.*—Using funds made available to
 3 carry out section 403 of title 23, United States Code, for
 4 fiscal year 2005, the Secretary shall make \$1,000,000 avail-
 5 able to conduct a study on the risks associated with glare
 6 to oncoming drivers, including increased risks to drivers on
 7 2-lane highways, increased risks to drivers over the age of
 8 50, and the overall effects of glare on driver performance.

9 (b) *REPORT.*—Not later than 18 months after the date
 10 of enactment of this Act, the Secretary shall transmit to
 11 the Committee on Transportation and Infrastructure of the
 12 House of Representatives and the Committee on Commerce,
 13 Science, and Transportation of the Senate a report on the
 14 results of the study and any recommendations regarding
 15 measures to reduce the risks associated with glare to oncom-
 16 ing drivers.

17 **TITLE III—FEDERAL TRANSIT**
 18 **ADMINISTRATION PROGRAMS**

19 **SEC. 3001. SHORT TITLE; AMENDMENTS TO TITLE 49,**
 20 **UNITED STATES CODE.**

21 (a) *SHORT TITLE.*—This title may be cited as the
 22 “Federal Public Transportation Act of 2005”.

23 (b) *AMENDMENTS TO TITLE 49, UNITED STATES*
 24 *CODE.*—Except as otherwise specifically provided, whenever
 25 in this title an amendment or repeal is expressed in terms
 26 of an amendment to, or repeal of, a section or other provi-

1 sion of law, the reference shall be considered to be made
2 to a section or other provision of title 49, United States
3 Code.

4 **SEC. 3002. POLICIES, FINDINGS, AND PURPOSES.**

5 (a) *IN GENERAL.*—Section 5301(a) is amended to read
6 as follows:

7 “(a) *DEVELOPMENT AND REVITALIZATION OF PUBLIC*
8 *TRANSPORTATION SYSTEMS.*—It is in the interest of the
9 United States to foster the development and revitalization
10 of public transportation systems that—

11 “(1) maximize the safe, secure, and efficient mo-
12 bility of individuals;

13 “(2) minimize environmental impacts; and

14 “(3) minimize transportation-related fuel con-
15 sumption and reliance on foreign oil.”.

16 (b) *PRESERVING THE ENVIRONMENT.*—Section
17 5301(e) is amended—

18 (1) by striking “an urban” and inserting “a”;

19 and

20 (2) by striking “under sections 5309 and 5310 of
21 this title”.

22 (c) *GENERAL PURPOSES.*—Section 5301(f) is amend-
23 ed—

24 (1) in paragraph (1)—

1 (A) by striking “mass” the first place it ap-
2 pears and inserting “public”; and

3 (B) by striking “public and private mass
4 transportation companies” and inserting “both
5 public transportation companies and private
6 companies engaged in public transportation”;

7 (2) in paragraph (2)—

8 (A) by striking “urban mass” and inserting
9 “public”; and

10 (B) by striking “public and private mass
11 transportation companies” and inserting “both
12 public transportation companies and private
13 companies engaged in public transportation”;

14 (3) in paragraph (3)—

15 (A) by striking “urban mass” and inserting
16 “public”; and

17 (B) by striking “public or private mass
18 transportation companies” and inserting “public
19 transportation companies or private companies
20 engaged in public transportation”; and

21 (4) in paragraph (5) by striking “urban mass”
22 and inserting “public”.

23 **SEC. 3003. DEFINITIONS.**

24 (a) *LEAD-IN.*—Section 5302(a) is amended in the mat-
25 ter preceding paragraph (1) by striking “In this chapter”

1 *and inserting “Except as otherwise specifically provided,*
2 *in this chapter”.*

3 (b) *CAPITAL PROJECT.—Section 5302(a)(1) is amend-*
4 *ed—*

5 (1) *in subparagraph (G) by inserting “construc-*
6 *tion, renovation, and improvement of intercity bus*
7 *stations and terminals,” before “and the renovation*
8 *and improvement of historic transportation facili-*
9 *ties,”;*

10 (2) *in subparagraph (G)(ii) by inserting “(other*
11 *than an intercity bus station or terminal)” after*
12 *“commercial revenue-producing facility”;*

13 (3) *by striking “or” at the end of subparagraph*
14 *(H);*

15 (4) *by striking the period at the end of subpara-*
16 *graph (I) and inserting a semicolon; and*

17 (5) *by adding at the end the following:*

18 “(J) *crime prevention and security—*

19 “(i) *including—*

20 “(I) *projects to refine and develop*
21 *security and emergency response plans;*

22 “(II) *projects aimed at detecting*
23 *chemical and biological agents in pub-*
24 *lic transportation;*

1 “(III) the conduct of emergency
2 response drills with public transpor-
3 tation agencies and local first response
4 agencies; and

5 “(IV) security training for public
6 transportation employees; but

7 “(ii) excluding all expenses related to
8 operations, other than such expenses in-
9 curred in conducting activities described in
10 subclauses (III) and (IV);

11 “(K) establishment of a debt service reserve
12 made up of deposits with a bondholders’ trustee
13 in a noninterest bearing account for the purpose
14 of ensuring timely payment of principal and in-
15 terest on bonds issued by a grant recipient for
16 purposes of financing an eligible project under
17 this chapter; or

18 “(L) mobility management—

19 “(i) consisting of short-range planning
20 and management activities and projects for
21 improving coordination among public
22 transportation and other transportation
23 service providers carried out by a recipient
24 or subrecipient through an agreement en-
25 tered into with a person, including a gov-

1 *ernmental entity, under this chapter (other*
2 *than section 5309); but*

3 *“(ii) excluding operating public trans-*
4 *portation services.”.*

5 *(c) INDIVIDUAL WITH A DISABILITY.—Section*
6 *5302(a)(5) is amended—*

7 *(1) by striking “HANDICAPPED INDIVIDUAL” in*
8 *the heading and inserting “INDIVIDUAL WITH A DIS-*
9 *ABILITY”; and*

10 *(2) by striking “handicapped individual” and*
11 *inserting “individual with a disability”.*

12 *(d) MASS TRANSPORTATION.—Section 5302(a)(7) is*
13 *amended to read as follows:*

14 *“(7) MASS TRANSPORTATION.—The term ‘mass*
15 *transportation’ means public transportation.”.*

16 *(e) PUBLIC TRANSPORTATION.—Section 5302(a)(10) is*
17 *amended to read as follows:*

18 *“(10) PUBLIC TRANSPORTATION.—The term*
19 *‘public transportation’ means transportation by a*
20 *conveyance that provides regular and continuing gen-*
21 *eral or special transportation to the public, but does*
22 *not include schoolbus, charter, or sightseeing trans-*
23 *portation.”.*

24 *(f) URBANIZED AREA.—Section 5302(a)(17) is amend-*
25 *ed to read as follows:*

1 “(17) *URBANIZED AREA*.—The term ‘urbanized
2 *area*’ means an area encompassing a population of at
3 least 50,000 people that has been defined and des-
4 ignated in the latest decennial census as an urbanized
5 area by the Secretary of Commerce.”.

6 (g) *AUTHORITY TO MODIFY DEFINITION*.—Section
7 5302(b) is amended—

8 (1) by striking “*HANDICAPPED INDIVIDUAL*” in
9 the heading and inserting “*INDIVIDUAL WITH A DIS-*
10 *ABILITY*”; and

11 (2) by striking “*handicapped individual*” and
12 inserting “*individual with a disability*”.

13 **SEC. 3004. METROPOLITAN PLANNING.**

14 Section 5303 is amended to read as follows:

15 **“§ 5303. Metropolitan planning**

16 “(a) *IN GENERAL*.—Grants made under sections 5307,
17 5308, 5309, 5310, 5311, 5316, and 5317 shall be carried
18 out in accordance with the metropolitan planning provi-
19 sions of chapter 52.

20 “(b) *CERTIFICATION*.—

21 “(1) *IN GENERAL*.—The Secretary shall ensure
22 and certify that each metropolitan planning organi-
23 zation in each transportation management area is
24 carrying out its responsibilities under applicable laws
25 of the United States. The Secretary may make the

1 *certification only if the organization is complying*
 2 *with chapter 52 and other applicable requirements of*
 3 *laws of the United States and the organization and*
 4 *chief executive officer have approved a transportation*
 5 *improvement program for the area.*

6 “(2) *LIMITATION ON WITHHOLDING CERTIFI-*
 7 *CATION.—The Secretary may not withhold certifi-*
 8 *cation based on the policies and criteria a metropoli-*
 9 *tan planning organization or mass transportation*
 10 *grant recipient establishes under section 5306(a) for*
 11 *deciding the feasibility of private enterprise partici-*
 12 *pation.”.*

13 **SEC. 3005. STATEWIDE PLANNING.**

14 (a) *IN GENERAL.—Section 5304 is amended to read*
 15 *as follows:*

16 **“§ 5304. Statewide planning**

17 *“Grants made under sections 5307, 5308, 5309, 5310,*
 18 *5311, 5316, and 5317 shall be carried out in accordance*
 19 *with the statewide planning provisions of chapter 52.”.*

20 (b) *CONFORMING AMENDMENT.—The analysis for*
 21 *chapter 53 is amended by striking the item relating to sec-*
 22 *tion 5304 and inserting the following:*

“5304. Statewide planning.”.

23 **SEC. 3006. PLANNING PROGRAMS.**

24 (a) *IN GENERAL.—Section 5305 is amended to read*
 25 *as follows:*

1 **“§ 5305. Planning programs**

2 “(a) *STATE DEFINED.*—*In this section the term ‘State’*
3 *means a State of the United States, the District of Colum-*
4 *bia, and Puerto Rico.*

5 “(b) *GENERAL AUTHORITY.*—

6 “(1) *ASSISTANCE.*—*Under criteria to be estab-*
7 *lished by the Secretary, the Secretary may provide as-*
8 *sistance for—*

9 “(A) *the development of transportation*
10 *plans and programs;*

11 “(B) *planning, engineering, designing, and*
12 *evaluating a public transportation project; and*

13 “(C) *for other technical studies.*

14 “(2) *GRANTS, AGREEMENTS, AND CONTRACTS.*—
15 *The Secretary may provide assistance under para-*
16 *graph (1)—*

17 “(A) *by making grants to States, authori-*
18 *ties of States, metropolitan planning organiza-*
19 *tions, and local governmental authorities; or*

20 “(B) *by making agreements with other de-*
21 *partments, agencies, and instrumentalities of the*
22 *Government.*

23 “(3) *ELIGIBLE ACTIVITIES.*—*Activities eligible*
24 *for assistance under paragraph (1) include the fol-*
25 *lowing:*

1 “(A) *Studies related to management, plan-*
2 *ning, operations, capital requirements, and eco-*
3 *nomics feasibility.*

4 “(B) *Evaluating previously financed*
5 *projects.*

6 “(C) *Peer reviews and exchanges of tech-*
7 *nical data, information, assistance, and related*
8 *activities in support of planning and environ-*
9 *mental analyses among metropolitan planning*
10 *organizations and other transportation planners.*

11 “(D) *Other similar and related activities*
12 *preliminary to and in preparation for con-*
13 *structing, acquiring, or improving the operation*
14 *of facilities and equipment.*

15 “(c) *PURPOSE.—To the extent practicable, the Sec-*
16 *retary shall ensure that amounts appropriated or made*
17 *available under section 5338 to carry out this section and*
18 *sections 5303 and 5304 are used to support balanced and*
19 *comprehensive transportation planning that considers the*
20 *relationships among land use and all transportation modes,*
21 *without regard to the programmatic source of the planning*
22 *amounts.*

23 “(d) *METROPOLITAN PLANNING PROGRAM.—*

24 “(1) *APPORTIONMENT TO STATES.—*

1 “(A) *IN GENERAL.*—*The Secretary shall ap-*
2 *portion 80 percent of the amounts made avail-*
3 *able under subsection (g)(1) among the States to*
4 *carry out sections 5303 and 5306 in the ratio*
5 *that—*

6 “(i) *the population of urbanized areas*
7 *in each State, as shown by the latest avail-*
8 *able decennial census of population; bears to*

9 “(ii) *the total population of urbanized*
10 *areas in all States, as shown by that census.*

11 “(B) *MINIMUM APPORTIONMENT.*—*Notwith-*
12 *standing subparagraph (A), a State may not re-*
13 *ceive less than 0.5 percent of the amount appor-*
14 *tioned under this paragraph.*

15 “(2) *ALLOCATION TO MPO’S.*—*Amounts appor-*
16 *tioned to a State under paragraph (1) shall be made*
17 *available within 30 days after allocation to metro-*
18 *politan planning organizations in the State des-*
19 *ignated under this section under a formula that—*

20 “(A) *considers population of urbanized*
21 *areas;*

22 “(B) *provides an appropriate distribution*
23 *for urbanized areas to carry out the cooperative*
24 *processes described in this section;*

1 “(C) *the State develops in cooperation with*
2 *the metropolitan planning organizations; and*

3 “(D) *the Secretary approves.*

4 “(3) *SUPPLEMENTAL AMOUNTS.—*

5 “(A) *IN GENERAL.—The Secretary shall ap-*
6 *portion 20 percent of the amounts made avail-*
7 *able under subsection (g)(1) among the States to*
8 *supplement allocations made under paragraph*
9 *(1) for metropolitan planning organizations.*

10 “(B) *FORMULA.—The Secretary shall ap-*
11 *portion amounts referred to in subparagraph (A)*
12 *under a formula that reflects the additional cost*
13 *of carrying out planning, programming, and*
14 *project selection responsibilities under sections*
15 *5303 and 5306 in certain urbanized areas.*

16 “(e) *STATE PLANNING AND RESEARCH PROGRAM.—*

17 “(1) *APPORTIONMENT TO STATES.—*

18 “(A) *IN GENERAL.—The Secretary shall ap-*
19 *portion the amounts made available under sub-*
20 *section (g)(2) among the States for grants and*
21 *contracts to carry out sections 5303 through*
22 *5306, 5312, 5315, and 5322 in the ratio that—*

23 “(i) *the population of urbanized areas*
24 *in each State, as shown by the latest avail-*
25 *able decennial census; bears to*

1 “(ii) the population of urbanized areas
2 in all States, as shown by that census.

3 “(B) *MINIMUM APPORTIONMENT.*—Notwith-
4 standing subparagraph (A), a State may not re-
5 ceive less than 0.5 percent of the amount appor-
6 tioned under this paragraph.

7 “(2) *SUPPLEMENTAL AMOUNTS.*—A State, as the
8 State considers appropriate, may authorize part of
9 the amount made available under this subsection to be
10 used to supplement amounts made available under
11 subsection (d).

12 “(f) *GOVERNMENT’S SHARE OF COSTS.*—The Govern-
13 ment’s share of the cost of an activity funded using amounts
14 made available under this section may not exceed 80 per-
15 cent of the cost of the activity unless the Secretary deter-
16 mines that it is in the interests of the Government not to
17 require a State or local match.

18 “(g) *ALLOCATION OF FUNDS.*—Of the funds made
19 available by or appropriated to carry out this section under
20 section 5338(c) for fiscal years 2004 through 2009—

21 “(1) 82.72 percent shall be available for the met-
22 ropolitan planning program under subsection (d);
23 and

24 “(2) 17.28 percent shall be available to carry out
25 subsection (e).

1 “(h) *AVAILABILITY OF FUNDS.*—*Funds apportioned*
 2 *under this section in a State shall remain available for obli-*
 3 *gation in that State for a period of 3 years after the last*
 4 *day of the fiscal year for which the funds are authorized.*
 5 *Any amounts so apportioned that remain unobligated at*
 6 *the end of that period shall be reapportioned among the*
 7 *States.”.*

8 (b) *CONFORMING AMENDMENT.*—*The analysis for*
 9 *chapter 53 is amended by striking the item relating to sec-*
 10 *tion 5305 and inserting the following:*

“5305. *Planning programs.*”.

11 **SEC. 3007. PRIVATE ENTERPRISE PARTICIPATION.**

12 (a) *SECTION HEADING.*—*Section 5306 is amended by*
 13 *striking the section heading and inserting the following:*

14 **“§ 5306. *Private enterprise participation in planning;***
 15 ***relationship to other limitations*”.**

16 (b) *CONFORMING AMENDMENT.*—*The analysis for*
 17 *chapter 53 is amended by striking the item relating to sec-*
 18 *tion 5306 and inserting the following:*

“5306. *Private enterprise participation in planning; relationship to other limita-*
tions.”.

19 **SEC. 3008. URBANIZED AREA FORMULA GRANTS.**

20 (a) *TECHNICAL AMENDMENTS.*—*Section 5307 is*
 21 *amended—*

22 (1) *by striking subsections (h) and (k); and*

1 (2) by redesignating subsections (i), (j), (l), (m),
2 and (n) as subsections (h), (i), (j), (k), and (l), respec-
3 tively.

4 (b) *DEFINITIONS.*—Section 5307(a)(2)(A) is amend-
5 ed—

6 (1) by striking “a person” and inserting “an en-
7 tity”; and

8 (2) by striking “section 5305(a) of this title” and
9 inserting “chapter 52”.

10 (c) *GENERAL AUTHORITY.*—Section 5307(b) is amend-
11 ed—

12 (1) by striking paragraph (1) and inserting the
13 following:

14 “(1) *GRANTS.*—The Secretary may make grants
15 under this section for—

16 “(A) capital projects and associated capital
17 maintenance items;

18 “(B) planning;

19 “(C) transit enhancements; and

20 “(D) operating costs of equipment and fa-
21 cilities for use in public transportation in an ur-
22 banized area with a population of less than
23 200,000.”;

24 (2) in the heading to paragraph (2) by striking
25 “*FISCAL YEARS 2003 AND 2004 AND FOR THE PERIOD*

1 *OF OCTOBER 1, 2004, THROUGH MAY 31, 2005” and in-*
2 *serting “FISCAL YEARS 2003 THROUGH 2005”;*

3 *(3) in paragraph (2)(A) by striking “fiscal years*
4 *2003” and all that follows through “2005” and insert-*
5 *ing “fiscal years 2003, 2004, and 2005”;*

6 *(4) in paragraph (3) by striking “section*
7 *5305(a) of this title” and inserting “chapter 52”; and*

8 *(5) in paragraph (3)(A) by striking “section*
9 *5303 of this title” and inserting “chapter 52”.*

10 *(d) GRANT RECIPIENT REQUIREMENTS.—Section*
11 *5307(d)(1) is amended—*

12 *(1) in subparagraph (A) by inserting “, includ-*
13 *ing safety and security aspects of the program” after*
14 *“program”;*

15 *(2) in subparagraph (H) by striking “sections*
16 *5301(a) and (d), 5303–5306, and 5310(a)–(d) of this*
17 *title” and inserting “subsections (a) and (d) of section*
18 *5301 and sections 5303 through 5306”;*

19 *(3) in subparagraph (I) by striking “and” at the*
20 *end; and*

21 *(4) by adding at the end the following:*

22 *“(K) in the case of a recipient for an ur-*
23 *banized area with a population of at least*
24 *200,000—*

1 “(i) will expend one percent of the
2 amount the recipient receives each fiscal
3 year under this section for projects for tran-
4 sit enhancements, as defined in section
5 5302(a); and

6 “(ii) will submit an annual report list-
7 ing projects carried out in the preceding fis-
8 cal year with those funds; and”.

9 (e) *GOVERNMENT’S SHARE OF COSTS.*—Section
10 *5307(e)* is amended to read as follows:

11 “(e) *GOVERNMENT’S SHARE OF COSTS.*—

12 “(1) *CAPITAL PROJECTS.*—A grant for a capital
13 project (including associated capital maintenance
14 items) under this section shall be for 80 percent of the
15 net project cost of the project. The recipient may pro-
16 vide additional local matching amounts.

17 “(2) *OPERATING EXPENSES.*—A grant for oper-
18 ating expenses under this section may not exceed 50
19 percent of the net project cost of the project.

20 “(3) *REMAINDER.*—The remainder of the net
21 project cost shall be provided—

22 “(A) in cash from sources other than
23 amounts of the Government or revenues from
24 providing public transportation (excluding reve-

1 *nues derived from the sale of advertising and*
 2 *concessions);*

3 *“(B) from an undistributed cash surplus, a*
 4 *replacement or depreciation cash fund or reserve,*
 5 *or new capital; and*

6 *“(C) from amounts received under a service*
 7 *agreement with a State or local social service*
 8 *agency or private social service organization.”.*

9 *(f) REVIEWS, AUDITS, AND EVALUATIONS.—Section*
 10 *5307(h)(1)(A) (as redesignated by subsection (a) of this sec-*
 11 *tion) is amended by striking “shall” and inserting “may”.*

12 *(g) RELATIONSHIP TO OTHER LAWS.—Section 5307(l)*
 13 *(as redesignated by subsection (a) of this section) is amend-*
 14 *ed—*

15 *(1) by striking paragraph (1);*

16 *(2) by redesignating paragraph (2) as para-*
 17 *graph (1);*

18 *(3) by inserting “This chapter.—” before “Sec-*
 19 *tions 5302”;*

20 *(4) by adding at the end the following:*

21 *“(2) CHAPTER 15 OF TITLE 5.—The provision of*
 22 *assistance under this chapter shall not be construed as*
 23 *bringing within the application of chapter 15 of title*
 24 *5 any nonsupervisory employee of a public transpor-*
 25 *tation system (or any other agency or entity per-*

1 *forming related functions) to which such chapter is*
2 *otherwise inapplicable.”; and*

3 *(5) by aligning the left margin of paragraph (1)*
4 *(as so redesignated) with paragraph (2) (as added by*
5 *paragraph (4) of this subsection).*

6 *(h) TREATMENT.—At the end of section 5307, add the*
7 *following:*

8 *“(m) TREATMENT.—For purposes of this section, the*
9 *United States Virgin Islands shall be treated as an urban-*
10 *ized area, as defined in section 5302.”.*

11 **SEC. 3009. CLEAN FUELS FORMULA GRANT PROGRAM.**

12 *Section 5308 is amended to read as follows:*

13 **“§ 5308. Clean fuels formula grant program**

14 *“(a) DEFINITIONS.—In this section, the following defi-*
15 *initions apply:*

16 *“(1) CLEAN FUEL BUS.—The term ‘clean fuel*
17 *bus’ means a passenger vehicle used to provide public*
18 *transportation that—*

19 *“(A) is powered by—*

20 *“(i) compressed natural gas;*

21 *“(ii) liquefied natural gas;*

22 *“(iii) biodiesel fuels;*

23 *“(iv) batteries;*

24 *“(v) alcohol-based fuels;*

25 *“(vi) hybrid electric;*

1 “(vii) fuel cell;

2 “(viii) clean diesel, to the extent al-
3 lowed under this section; or

4 “(ix) other low or zero emissions tech-
5 nology; and

6 “(B) the Administrator of the Environ-
7 mental Protection Agency has certified suffi-
8 ciently reduces harmful emissions.

9 “(2) *ELIGIBLE PROJECT*.—The term ‘eligible
10 project’—

11 “(A) means a project in a nonattainment or
12 maintenance area described in paragraph (4)(A)
13 for—

14 “(i) purchasing or leasing clean fuel
15 buses, including buses that employ a light-
16 weight composite primary structure;

17 “(ii) constructing or leasing clean fuel
18 buses or electrical recharging facilities and
19 related equipment for such buses; or

20 “(iii) constructing new or improving
21 existing public transportation facilities to
22 accommodate clean fuel buses; and

23 “(B) at the discretion of the Secretary, may
24 include a project located in a nonattainment or
25 maintenance area described in paragraph (4)(A)

1 *relating to clean fuel, biodiesel, hybrid electric,*
2 *or zero emissions technology buses that exhibit*
3 *equivalent or superior emissions reductions to*
4 *existing clean fuel or hybrid electric technologies.*

5 “(3) *MAINTENANCE AREA.*—*The term ‘mainte-*
6 *nance area’ has the meaning such term has under sec-*
7 *tion 101 of title 23.*

8 “(4) *RECIPIENT.*—

9 “(A) *IN GENERAL.*—*The term ‘recipient’*
10 *means a designated recipient (as defined in sec-*
11 *tion 5307(a)(2)) for an area that, and a recipi-*
12 *ent for an urbanized area with a population of*
13 *less than 200,000 that—*

14 “(i) *is designated as a nonattainment*
15 *area for ozone or carbon monoxide under*
16 *section 107(d) of the Clean Air Act (42*
17 *U.S.C. 7407(d)); or*

18 “(ii) *is a maintenance area for ozone*
19 *or carbon monoxide.*

20 “(B) *SMALLER URBANIZED AREAS.*—*In the*
21 *case of an urbanized area with a population of*
22 *less than 200,000, the State in which the area is*
23 *located shall act as the recipient for the area*
24 *under this section.*

1 “(b) *AUTHORITY.*—*The Secretary shall make grants in*
2 *accordance with this section to recipients to finance eligible*
3 *projects.*

4 “(c) *APPORTIONMENT OF FUNDS.*—

5 “(1) *FORMULA.*—*The Secretary shall apportion*
6 *among recipients amounts made available to carry*
7 *out this section for a fiscal year. Of such amounts—*

8 “(A) *two-thirds shall be apportioned to re-*
9 *cipients serving urbanized areas with a popu-*
10 *lation of at least 1,000,000, of which—*

11 “(i) *50 percent shall be apportioned so*
12 *that each such recipient receives a grant*
13 *under this section in an amount equal to*
14 *the ratio that—*

15 “(I) *the number of vehicles in the*
16 *bus fleet of the recipient, weighted by*
17 *severity of nonattainment for the area*
18 *served by the recipient; bears to*

19 “(II) *the total number of vehicles*
20 *in the bus fleets of all such recipients,*
21 *weighted by severity of nonattainment*
22 *for all areas served by such recipients;*
23 *and*

24 “(ii) *50 percent shall be apportioned so*
25 *that each such recipient receives a grant*

1 *under this section in an amount equal to*
2 *the ratio that—*

3 “(I) *the number of bus passenger*
4 *miles (as defined in section 5336(c)) of*
5 *the recipient, weighted by severity of*
6 *nonattainment of the area served by*
7 *the recipient; bears to*

8 “(II) *the total number of bus pas-*
9 *senger miles (as defined in section*
10 *5336(c)) of all such recipients, weight-*
11 *ed by severity of nonattainment of all*
12 *areas served by such recipients; and*

13 “(B) *one-third shall be apportioned to re-*
14 *cipients serving urbanized areas with a popu-*
15 *lation of less than 1,000,000, of which—*

16 “(i) *50 percent shall be apportioned so*
17 *that each such recipient receives a grant*
18 *under this section in an amount equal to*
19 *the ratio that—*

20 “(I) *the number of vehicles in the*
21 *bus fleet of the recipient, weighted by*
22 *severity of nonattainment for the area*
23 *served by the recipient; bears to*

24 “(II) *the total number of vehicles*
25 *in the bus fleets of all such recipients,*

1 *weighted by severity of nonattainment*
2 *for all areas served by such recipients;*
3 *and*

4 “(ii) 50 percent shall be apportioned so
5 *that each such recipient receives a grant*
6 *under this section in an amount equal to*
7 *the ratio that—*

8 “(I) *the number of bus passenger*
9 *miles (as defined in section 5336(c)) of*
10 *the recipient, weighted by severity of*
11 *nonattainment of the area served by*
12 *the recipient; bears to*

13 “(II) *the total number of bus pas-*
14 *senger miles (as defined in section*
15 *5336(c)) of all such recipients, weight-*
16 *ed by severity of nonattainment of all*
17 *areas served by such recipients.*

18 “(2) *WEIGHTING OF SEVERITY OF NONATTAIN-*
19 *MENT.—*

20 “(A) *IN GENERAL.—For purposes of para-*
21 *graph (1), subject to subparagraph (B), the num-*
22 *ber of buses in the bus fleet, or the number of*
23 *passenger miles, shall be multiplied by a factor*
24 *of—*

1 “(i) 1.0 if, at the time of the appor-
2 tionment, the area is a maintenance area
3 for ozone or carbon monoxide;

4 “(ii) 1.1 if, at the time of the appor-
5 tionment, the area is classified as a mar-
6 ginal ozone nonattainment area under sub-
7 part 2 of part D of title I of the Clean Air
8 Act (42 U.S.C. 7511 et seq.);

9 “(iii) 1.2 if, at the time of the appor-
10 tionment, the area is classified as a mod-
11 erate ozone nonattainment area under sub-
12 part 2 of such part;

13 “(iv) 1.3 if, at the time of the appor-
14 tionment, the area is classified as a serious
15 ozone nonattainment area under subpart 2
16 of such part;

17 “(v) 1.4 if, at the time of the appor-
18 tionment, the area is classified as a severe
19 ozone nonattainment area under subpart 2
20 of such part; or

21 “(vi) 1.5 if, at the time of the appor-
22 tionment, the area is classified as an ex-
23 treme ozone nonattainment area under sub-
24 part 2 of such part.

1 “(B) *ADDITIONAL ADJUSTMENT FOR CAR-*
2 *BON MONOXIDE AREAS.*—*If, in addition to being*
3 *classified as a nonattainment or maintenance*
4 *area for ozone under subpart 2 of such part, the*
5 *area was also classified under subpart 3 of such*
6 *part as a nonattainment area for carbon mon-*
7 *oxide, the weighted nonattainment or mainte-*
8 *nance area fleet and passenger miles for the re-*
9 *recipient, as calculated under subparagraph (A),*
10 *shall be further multiplied by a factor of 1.2.*

11 “(d) *CLEAN DIESEL BUSES.*—*Not more than 35 per-*
12 *cent of the amount made available by or appropriated*
13 *under section 5338 in each fiscal year to carry out this sec-*
14 *tion may be made available to fund clean diesel buses.*

15 “(e) *GRANT REQUIREMENTS.*—

16 “(1) *IN GENERAL.*—*A grant under this section*
17 *shall be subject to the requirements of section 5307.*

18 “(2) *GOVERNMENT’S SHARE OF COSTS FOR CER-*
19 *TAIN PROJECTS.*—*Section 5323(i) applies to projects*
20 *carried out under this section.*

21 “(f) *AVAILABILITY OF FUNDS.*—*Any amount made*
22 *available or appropriated under this section—*

23 “(1) *shall remain available to a project for 1*
24 *year after the fiscal year for which the amount is*
25 *made available or appropriated; and*

1 “(2) that remains unobligated at the end of the
2 period described in paragraph (1) shall be added to
3 the amount made available in the following fiscal
4 year.”.

5 **SEC. 3010. CAPITAL INVESTMENT GRANTS.**

6 (a) *SECTION HEADING.*—Section 5309 is amended by
7 striking the section heading and inserting the following:

8 **“§ 5309. Capital investment grants”.**

9 (b) *LOANS FOR REAL PROPERTY INTERESTS.*—Section
10 5309 is amended—

11 (1) in subsections (a)(1) and (a)(2) by striking
12 “and loans”;

13 (2) by striking subsections (b) and (c); and

14 (3) by redesignating subsection (d) as subsection
15 (b).

16 (c) *PROJECT AS PART OF APPROVED PROGRAM OF*
17 *PROJECTS.*—Section 5309(b) (as redesignated by subsection
18 (b) of this section) is amended—

19 (1) by striking “Except as provided in sub-
20 sections (b)(2) and (e) of the section, the” and insert-
21 ing “The”; and

22 (2) by striking “or loan”.

23 (d) *CRITERIA AND FUNDING.*—Section 5309 is amend-
24 ed by striking subsections (e) through (p) and inserting the
25 following:

1 “(c) MAJOR CAPITAL INVESTMENT GRANTS OF
2 \$75,000,000 OR MORE.—

3 “(1) FULL FUNDING GRANT AGREEMENT.—A
4 major new fixed guideway capital project financed
5 under this subsection shall be carried out through a
6 full funding grant agreement. The Secretary shall
7 enter into a full funding grant agreement based on
8 the evaluations and ratings required under this sub-
9 section. The Secretary shall not enter into a full fund-
10 ing grant agreement for a project unless that project
11 is authorized for final design and construction.

12 “(2) APPROVAL OF GRANTS.—The Secretary may
13 approve a grant under this section for a major new
14 fixed guideway capital project only if the Secretary,
15 based upon evaluations and considerations set forth
16 in paragraph (3), determines that the proposal is—

17 “(A) based on the results of an alternatives
18 analysis and preliminary engineering;

19 “(B) justified based on a comprehensive re-
20 view of its mobility improvements, environ-
21 mental benefits, cost effectiveness, operating effi-
22 ciencies, and transit supportive policies, and ex-
23 isting land use; and

24 “(C) supported by an acceptable degree of
25 local financial commitment (including evidence

1 *of stable and dependable financing sources) to*
2 *construct, maintain, and operate the system or*
3 *extension.*

4 “(3) *CONSIDERATIONS.—*

5 “(A) *RESULTS OF ALTERNATIVES ANALYSIS*
6 *AND PRELIMINARY ENGINEERING.—In evaluating*
7 *a proposed project for purposes of making the*
8 *finding required by paragraph (2)(A), the Sec-*
9 *retary shall analyze and consider the results of*
10 *the alternatives analysis and preliminary engi-*
11 *neering for the project.*

12 “(B) *PROJECT JUSTIFICATION.—In evalu-*
13 *ating a proposed project for purposes of making*
14 *the finding required by paragraph (2)(B), the*
15 *Secretary shall—*

16 “(i) *consider the direct and indirect*
17 *costs of relevant alternatives;*

18 “(ii) *consider factors such as conges-*
19 *tion relief, improved mobility, air pollution,*
20 *noise pollution, energy consumption, and*
21 *all associated ancillary and mitigation costs*
22 *necessary to carry out each alternative ana-*
23 *lyzed and recognize reductions in local in-*
24 *frastructure costs achieved through compact*
25 *land use development;*

1 “(iii) identify and consider public
2 transportation supportive existing land use
3 policies and future patterns and the cost of
4 suburban sprawl;

5 “(iv) consider the degree to which the
6 project increases the mobility of the public
7 transportation dependent population or
8 promotes economic development;

9 “(v) consider population density and
10 current transit ridership in the corridor;

11 “(vi) consider the technical capability
12 of the grant recipient to construct the
13 project;

14 “(vii) adjust the project justification to
15 reflect differences in local land, construc-
16 tion, and operating costs; and

17 “(viii) consider other factors that the
18 Secretary determines appropriate to carry
19 out this chapter.

20 “(C) LOCAL FINANCIAL COMMITMENT.—In
21 evaluating a proposed project under paragraph
22 (2)(C), the Secretary shall require that—

23 “(i) the proposed project plan provides
24 for the availability of contingency amounts

1 *that the Secretary determines to be reason-*
2 *able to cover unanticipated cost increases;*

3 “(ii) *each proposed local source of cap-*
4 *ital and operating financing is stable, reli-*
5 *able, and available within the proposed*
6 *project timetable; and*

7 “(iii) *local resources are available to*
8 *operate the overall proposed public trans-*
9 *portation system (including essential feeder*
10 *bus and other services necessary to achieve*
11 *the projected ridership levels) without re-*
12 *quiring a reduction in existing public*
13 *transportation services to operate the pro-*
14 *posed project.*

15 “(D) *ASSESSMENT OF LOCAL FINANCING.—*

16 *In assessing the stability, reliability, and avail-*
17 *ability of proposed sources of local financing*
18 *under paragraph (2)(C), the Secretary shall con-*
19 *sider—*

20 “(i) *existing grant commitments;*

21 “(ii) *the degree to which financing*
22 *sources are dedicated to the purposes pro-*
23 *posed;*

24 “(iii) *any debt obligation that exists or*
25 *is proposed by the recipient for the proposed*

1 *project or other public transportation pur-*
2 *pose; and*

3 *“(iv) the extent to which the project*
4 *has a local financial commitment that ex-*
5 *ceeds the required non-Federal share of the*
6 *cost of the project.*

7 *“(4) EVALUATION AND RATING OF PROJECTS.—*
8 *A proposed project under this subsection may advance*
9 *from alternatives analysis to preliminary engineer-*
10 *ing, and may advance from preliminary engineering*
11 *to final design and construction, only if the Secretary*
12 *finds that the project meets the requirements of this*
13 *section and there is a reasonable likelihood that the*
14 *project will continue to meet such requirements. In*
15 *making the findings, the Secretary shall evaluate and*
16 *rate the project as ‘highly recommended’, ‘rec-*
17 *ommended’, or ‘not recommended’ based on the results*
18 *of alternatives analysis, the project justification cri-*
19 *teria, and the degree of local financial commitment,*
20 *as required under this subsection. In rating the*
21 *projects, the Secretary shall provide, in addition to*
22 *the overall project rating, individual ratings for each*
23 *of the criteria established by regulation.*

24 *“(5) MAJOR DEFINED.—In this section, the term*
25 *‘major’, as used with respect to a new fixed guideway*

1 *capital project, means the Federal assistance provided*
2 *or to be provided under this section for the project is*
3 *\$75,000,000 or more.*

4 “(d) *CAPITAL INVESTMENT GRANTS LESS THAN*
5 *\$75,000,000.—*

6 “(1) *IN GENERAL.—Subject to the provisions of*
7 *this subsection, if the Federal assistance provided or*
8 *to be provided under this section with respect to a*
9 *new fixed guideway capital project is less than*
10 *\$75,000,000, and not less than \$25,000,000, the*
11 *project shall be subject to the requirements in this*
12 *subsection. A new fixed guideway capital project is*
13 *not subject to the requirements of this subsection if the*
14 *assistance provided under this section with respect to*
15 *the project is less than \$25,000,000.*

16 “(2) *SELECTION CRITERIA.—The Secretary may*
17 *provide Federal assistance under this subsection with*
18 *respect to a proposed project only if the Secretary*
19 *finds that the project is—*

20 “(A) *based on the results of planning and*
21 *alternatives analysis;*

22 “(B) *justified based on a review of its pub-*
23 *lic transportation supportive land use policies,*
24 *cost effectiveness, and effect on local economic de-*
25 *velopment; and*

1 “(C) supported by an acceptable degree of
2 local financial commitment.

3 “(3) *PLANNING AND ALTERNATIVES.*—In evalu-
4 ating a project under paragraph (2)(A), the Secretary
5 shall analyze and consider the results of planning and
6 alternatives analysis for the project.

7 “(4) *PROJECT JUSTIFICATION.*—For purposes of
8 making the finding under paragraph (2)(B), the Sec-
9 retary shall—

10 “(A) determine the degree to which the
11 project is consistent with local land use policies
12 and is likely to achieve local developmental
13 goals;

14 “(B) determine the cost effectiveness of the
15 project at the time of the initiation of revenue
16 service;

17 “(C) determine the degree to which the
18 project will have a positive effect on local eco-
19 nomic development;

20 “(D) consider the reliability of the forecasts
21 of costs and ridership associated with the project;
22 and

23 “(E) consider other factors that the Sec-
24 retary determines appropriate to carry out this
25 subsection.

1 “(5) *LOCAL FINANCIAL COMMITMENT.*—For pur-
2 poses of paragraph (2)(C), the Secretary shall require
3 that each proposed local source of capital and oper-
4 ating financing is stable, reliable, and available with-
5 in the proposed project timetable.

6 “(6) *ADVANCEMENT OF PROJECT TO DEVELOP-*
7 *MENT AND CONSTRUCTION.*—

8 “(A) *GENERAL RULE.*—A proposed project
9 under this subsection may advance from plan-
10 ning and alternatives analysis to project develop-
11 ment and construction only if—

12 “(i) the Secretary finds that the project
13 meets the requirements of this subsection
14 and there is a reasonable likelihood that the
15 project will continue to meet such require-
16 ments; and

17 “(ii) the metropolitan planning orga-
18 nization has adopted the locally preferred
19 alternative for the project into the long-
20 range transportation plan.

21 “(B) *EVALUATION.*—In making the findings
22 under subparagraph (A), the Secretary shall
23 evaluate and rate the project as ‘recommended’
24 or ‘not recommended’ based on the results of the
25 analysis of the project justification criteria and

1 *the degree of local financial commitment, as re-*
2 *quired by this subsection.*

3 “(7) *CONTENTS OF PROJECT CONSTRUCTION*
4 *GRANT AGREEMENT.—A project construction grant*
5 *agreement under this subsection shall specify the scope*
6 *of the project to be constructed, the estimated net*
7 *project cost of the project, the schedule under which*
8 *the project shall be constructed, the maximum amount*
9 *of funding to be obtained under this subsection, the*
10 *proposed schedule for obligation of future Federal*
11 *grants, and the sources of funding from other than the*
12 *Government. The agreement may include a commit-*
13 *ment on the part of the Secretary to provide funding*
14 *for the project in future fiscal years.*

15 “(8) *LIMITATION ON ENTRY INTO CONSTRUCTION*
16 *GRANT AGREEMENT.—The Secretary may enter into a*
17 *project construction grant agreement for a project*
18 *under this subsection only if the project is authorized*
19 *for construction and has been rated as ‘recommended’*
20 *under this subsection.*

21 “(9) *REGULATIONS.—Not later than 120 days*
22 *after the date of enactment of the Federal Public*
23 *Transportation Act of 2005, the Secretary shall issue*
24 *regulations establishing an evaluation and rating*
25 *process for proposed projects under this subsection*

1 *that is based on the results of project justification and*
2 *local financial commitment, as required under this*
3 *subsection.*

4 “(10) *FIXED GUIDEWAY CAPITAL PROJECT.*—*In*
5 *this subsection, the term ‘fixed guideway capital*
6 *project’ includes a corridor-based public transpor-*
7 *tation bus capital project if the majority of the*
8 *project’s corridor right-of-way is dedicated alignment*
9 *for exclusive use by public transportation vehicles for*
10 *all or part of the day.*

11 “(e) *PREVIOUSLY ISSUED LETTER OF INTENT OR*
12 *FULL FUNDING GRANT AGREEMENT.*—*Subsections (c) and*
13 *(d) do not apply to projects for which the Secretary has*
14 *issued a letter of intent or entered into a full funding grant*
15 *agreement before the date of enactment of the Federal Public*
16 *Transportation Act of 2005. Subsection (d) also does not*
17 *apply to projects for which the Secretary has received an*
18 *application for final design before such date of enactment.*

19 “(f) *LETTERS OF INTENT, FULL FUNDING GRANT*
20 *AGREEMENTS, AND EARLY SYSTEMS WORK AGREE-*
21 *MENTS.*—

22 “(1) *LETTERS OF INTENT.*—

23 “(A) *AMOUNTS INTENDED TO BE OBLI-*
24 *GATED.*—*The Secretary may issue a letter of in-*
25 *tent to an applicant announcing an intention to*

1 *obligate, for a capital project under this section,*
2 *an amount from future available budget author-*
3 *ity specified in law that is not more than the*
4 *amount stipulated as the financial participation*
5 *of the Secretary in the project. When a letter is*
6 *issued for fixed guideway projects, the amount*
7 *shall be sufficient to complete at least an oper-*
8 *able segment.*

9 “(B) *TREATMENT.*—*The issuance of a letter*
10 *under subparagraph (A) is deemed not to be an*
11 *obligation under sections 1108(c), 1108(d), 1501,*
12 *and 1502(a) of title 31 or an administrative*
13 *commitment.*

14 “(2) *FULL FUNDING GRANT AGREEMENTS.*—

15 “(A) *TERMS.*—*The Secretary may make a*
16 *full funding grant agreement with an applicant.*
17 *The agreement shall—*

18 “(i) *establish the terms of participa-*
19 *tion by the Government in a project under*
20 *this section;*

21 “(ii) *establish the maximum amount of*
22 *Government financial assistance for the*
23 *project;*

24 “(iii) *cover the period of time for com-*
25 *pleting the project, including a period ex-*

1 *tending beyond the period of an authoriza-*
2 *tion; and*

3 “(iv) *make timely and efficient man-*
4 *agement of the project easier according to*
5 *the law of the United States.*

6 “(B) *SPECIAL FINANCIAL RULES.—*

7 “(i) *IN GENERAL.—An agreement*
8 *under this paragraph obligates an amount*
9 *of available budget authority specified in*
10 *law and may include a commitment, con-*
11 *tingent on amounts to be specified in law in*
12 *advance for commitments under this para-*
13 *graph, to obligate an additional amount*
14 *from future available budget authority spec-*
15 *ified in law.*

16 “(ii) *STATEMENT OF CONTINGENT COM-*
17 *MITMENT.—The agreement shall state that*
18 *the contingent commitment is not an obli-*
19 *gation of the Government.*

20 “(iii) *INTEREST AND OTHER FINANC-*
21 *ING COSTS.—Interest and other financing*
22 *costs of efficiently carrying out a part of the*
23 *project within a reasonable time are a cost*
24 *of carrying out the project under a full*
25 *funding grant agreement, except that eligi-*

1 *ble costs may not be more than the cost of*
2 *the most favorable financing terms reason-*
3 *ably available for the project at the time of*
4 *borrowing. The applicant shall certify, in a*
5 *way satisfactory to the Secretary, that the*
6 *applicant has shown reasonable diligence in*
7 *seeking the most favorable financing terms.*

8 *“(iv) COMPLETION OF OPERABLE SEG-*
9 *MENT.—The amount stipulated in an agree-*
10 *ment under this paragraph for a fixed*
11 *guideway project shall be sufficient to com-*
12 *plete at least an operable segment.*

13 *“(3) EARLY SYSTEM WORK AGREEMENTS.—*

14 *“(A) CONDITIONS.—The Secretary may*
15 *make an early systems work agreement with an*
16 *applicant if a record of decision under the Na-*
17 *tional Environmental Policy Act of 1969 (42*
18 *U.S.C. 4321 et seq.) has been issued on the*
19 *project and the Secretary finds there is reason to*
20 *believe—*

21 *“(i) a full funding grant agreement for*
22 *the project will be made; and*

23 *“(ii) the terms of the work agreement*
24 *will promote ultimate completion of the*
25 *project more rapidly and at less cost.*

1 “(B) CONTENTS.—

2 “(i) *IN GENERAL.*—A work agreement
3 under this paragraph obligates an amount
4 of available budget authority specified in
5 law and shall provide for reimbursement of
6 preliminary costs of carrying out the
7 project, including land acquisition, timely
8 procurement of system elements for which
9 specifications are decided, and other activi-
10 ties the Secretary decides are appropriate to
11 make efficient, long-term project manage-
12 ment easier.

13 “(ii) *PERIOD COVERED.*—A work
14 agreement under this paragraph shall cover
15 the period of time the Secretary considers
16 appropriate. The period may extend beyond
17 the period of current authorization.

18 “(iii) *INTEREST AND OTHER FINANC-*
19 *ING COSTS.*—Interest and other financing
20 costs of efficiently carrying out the work
21 agreement within a reasonable time are a
22 cost of carrying out the agreement, except
23 that eligible costs may not be more than the
24 cost of the most favorable financing terms
25 reasonably available for the project at the

1 *time of borrowing. The applicant shall cer-*
2 *tify, in a way satisfactory to the Secretary,*
3 *that the applicant has shown reasonable*
4 *diligence in seeking the most favorable fi-*
5 *nancing terms.*

6 “(iv) *FAILURE TO CARRY OUT*
7 *PROJECT.—If an applicant does not carry*
8 *out the project for reasons within the con-*
9 *trol of the applicant, the applicant shall*
10 *repay all Government payments made*
11 *under the work agreement plus reasonable*
12 *interest and penalty charges the Secretary*
13 *establishes in the agreement.*

14 “(4) *LIMITATION ON AMOUNTS.—*

15 “(A) *MAJOR CAPITAL INVESTMENT GRANTS*
16 *CONTINGENT COMMITMENT AUTHORITY.—The*
17 *total estimated amount of future obligations of*
18 *the Government and contingent commitments to*
19 *incur obligations covered by all outstanding let-*
20 *ters of intent, full funding grant agreements, and*
21 *early systems work agreements under this sub-*
22 *section for major new fixed guideway capital*
23 *projects may be not more than the greater of the*
24 *amount authorized under sections 5338(b) and*
25 *5338(h)(1) for such projects or an amount equiv-*

1 *alent to the last 3 fiscal years of funding allo-*
2 *cated under subsections (m)(1)(B) and*
3 *(m)(2)(B)(ii) for such projects, less an amount*
4 *the Secretary reasonably estimates is necessary*
5 *for grants under this section for those of such*
6 *projects that are not covered by a letter or agree-*
7 *ment. The total amount covered by new letters*
8 *and contingent commitments included in full*
9 *funding grant agreements and early systems*
10 *work agreements for such projects may be not*
11 *more than a limitation specified in law.*

12 *“(B) OTHER CONTINGENT COMMITMENT AU-*
13 *THORITY.—The total estimated amount of future*
14 *obligations of the Government and contingent*
15 *commitments to incur obligations covered by all*
16 *project construction grant agreements and early*
17 *system work agreements under this subsection for*
18 *small capital projects described in subsection (d)*
19 *may be not more than the greater of the amount*
20 *allocated under subsection (m)(2)(A) for such*
21 *projects or an amount equivalent to the last fis-*
22 *cal year of funding allocated under subsection*
23 *(m)(2)(A) for such projects, less an amount the*
24 *Secretary reasonably estimates is necessary for*
25 *grants under this section for those of such*

1 *projects that are not covered by an agreement.*
2 *The total amount covered by new contingent*
3 *commitments included in project construction*
4 *grant agreements and early systems work agree-*
5 *ments for such projects may be not more than a*
6 *limitation specified in law.*

7 “(C) *INCLUSION OF CERTAIN COMMIT-*
8 *MENTS.—Future obligations of the Government*
9 *and contingent commitments made against the*
10 *contingent commitment authority under section*
11 *3032(g)(2) of the Intermodal Surface Transpor-*
12 *tation Efficiency Act of 1991 (106 Stat. 2125)*
13 *for the San Francisco BART to the Airport*
14 *project for fiscal years 2002, 2003, 2004, 2005,*
15 *and 2006 shall be charged against section*
16 *3032(g)(2) of that Act.*

17 “(D) *APPROPRIATION REQUIRED.—An obli-*
18 *gation may be made under this subsection only*
19 *when amounts are appropriated for the obli-*
20 *gation.*

21 “(5) *NOTIFICATION OF CONGRESS.—At least 60*
22 *days before issuing a letter of intent or entering into*
23 *a full funding grant agreement or project construction*
24 *grant agreement under this section, the Secretary*
25 *shall notify, in writing, the Committee on Transpor-*

1 *tation and Infrastructure of the House of Representa-*
2 *tives and the Committee on Banking, Housing, and*
3 *Urban Affairs of the Senate of the proposed letter or*
4 *agreement. The Secretary shall include with the noti-*
5 *fication a copy of the proposed letter or agreement as*
6 *well as the evaluations and ratings for the project.*

7 *“(g) GOVERNMENT’S SHARE OF NET PROJECT*
8 *COST.—*

9 *“(1) FEDERAL SHARE.—Based on engineering*
10 *studies, studies of economic feasibility, and informa-*
11 *tion on the expected use of equipment or facilities, the*
12 *Secretary shall estimate the net project cost. A grant*
13 *for the project shall be for 80 percent of the net cap-*
14 *ital project cost, unless the grant recipient requests a*
15 *lower grant percentage.*

16 *“(2) REMAINDER OF NET PROJECT COST.—The*
17 *remainder of net project costs shall be provided from*
18 *an undistributed cash surplus, a replacement or de-*
19 *preciation cash fund or reserve, or new capital.*

20 *“(3) LIMITATION ON STATUTORY CONSTRUC-*
21 *TION.—Nothing in this section, including paragraph*
22 *(1) and subsections (c)(3)(D)(iv) and (c)(4), shall be*
23 *construed as authorizing the Secretary to require a*
24 *non-Federal financial commitment for a project that*
25 *is more than 20 percent of the net capital project cost.*

1 “(4) *SPECIAL RULE FOR ROLLING STOCK*
2 *COSTS.—In addition to amounts allowed pursuant to*
3 *paragraph (1), a planned extension to a fixed guide-*
4 *way system may include the cost of rolling stock pre-*
5 *viously purchased if the applicant satisfies the Sec-*
6 *retary that only amounts other than amounts of the*
7 *Government were used and that the purchase was*
8 *made for use on the extension. A refund or reduction*
9 *of the remainder may be made only if a refund of a*
10 *proportional amount of the grant of the Government*
11 *is made at the same time.*

12 “(5) *LIMITATION ON APPLICABILITY.—This sub-*
13 *section does not apply to projects for which the Sec-*
14 *retary has entered into a full funding grant agree-*
15 *ment before the date of enactment of the Federal Pub-*
16 *lic Transportation Act of 2005.*

17 “(h) *FISCAL CAPACITY CONSIDERATIONS.—If the Sec-*
18 *retary gives priority consideration to financing projects*
19 *that include more than the non-Government share required*
20 *under subsection (g), the Secretary shall give equal consid-*
21 *eration to differences in the fiscal capacity of State and*
22 *local governments.*

23 “(i) *REPORTS ON NEW STARTS.—*

24 “(1) *ANNUAL DOT REPORT.—Not later than the*
25 *first Monday in February of each year, the Secretary*

1 *shall submit to the Committee on Transportation and*
2 *Infrastructure of the House of Representatives and the*
3 *Committee on Banking, Housing, and Urban Affairs*
4 *of the Senate a report that includes—*

5 “(A) *a proposal of allocations of amounts to*
6 *be available to finance grants for new fixed*
7 *guideway capital projects among applicants for*
8 *these amounts;*

9 “(B) *evaluations and ratings, as required*
10 *under subsection (c), for each such project that is*
11 *authorized by the Federal Public Transportation*
12 *Act of 2005; and*

13 “(C) *recommendations of such projects for*
14 *funding based on the evaluations and ratings*
15 *and on existing commitments and anticipated*
16 *funding levels for the next 3 fiscal years and for*
17 *the next 10 fiscal years based on information*
18 *currently available to the Secretary.*

19 “(2) *ANNUAL GAO REVIEW.—The Comptroller*
20 *General shall—*

21 “(A) *conduct an annual review of—*

22 “(i) *the processes and procedures for*
23 *evaluating, rating, and recommending new*
24 *fixed guideway capital projects; and*

1 “(ii) the Secretary’s implementation of
2 such processes and procedures; and

3 “(B) report to Congress on the results of
4 such review by May 31 of each year.

5 “(j) *UNDERTAKING PROJECTS IN ADVANCE.*—

6 “(1) *IN GENERAL.*—The Secretary may pay the
7 Government’s share of the net capital project cost to
8 a State or local governmental authority that carries
9 out any part of a project described in this section
10 without the aid of amounts of the Government and
11 according to all applicable procedures and require-
12 ments if—

13 “(A) the State or local governmental au-
14 thority applies for the payment;

15 “(B) the Secretary approves the payment;
16 and

17 “(C) before carrying out the part of the
18 project, the Secretary approves the plans and
19 specifications for the part in the same way as
20 other projects under this section.

21 “(2) *FINANCING COSTS.*—

22 “(A) *IN GENERAL.*—The cost of carrying
23 out part of a project includes the amount of in-
24 terest earned and payable on bonds issued by the
25 State or local governmental authority to the ex-

1 *tent proceeds of the bonds are expended in car-*
2 *rying out the part.*

3 “(B) *LIMITATION ON AMOUNT OF INTER-*
4 *EST.—The amount of interest under this para-*
5 *graph may not be more than the most favorable*
6 *interest terms reasonably available for the project*
7 *at the time of borrowing.*

8 “(C) *CERTIFICATION.—The applicant shall*
9 *certify, in a manner satisfactory to the Sec-*
10 *retary, that the applicant has shown reasonable*
11 *diligence in seeking the most favorable financial*
12 *terms.*

13 “(3) *CAPITAL PROJECT COST INDICES.—The Sec-*
14 *retary shall consider changes in capital project cost*
15 *indices when determining the estimated cost under*
16 *paragraph (2).*

17 “(k) *BUS AND BUS FACILITIES PROJECTS.—In mak-*
18 *ing grants under subsections (m)(1)(C) and (m)(2)(B)(iii),*
19 *the Secretary shall consider the age of buses, bus fleets, re-*
20 *lated equipment, and bus-related facilities.*

21 “(l) *AVAILABILITY OF AMOUNTS.—An amount made*
22 *available or appropriated under section 5338(b), 5338(g),*
23 *or 5338(h) for replacement, rehabilitation, and purchase of*
24 *buses and related equipment and construction of bus-related*
25 *facilities or for new fixed guideway capital projects shall*

1 *remain available for 3 fiscal years, including the fiscal year*
2 *in which the amount is made available or appropriated.*
3 *Any of such amounts that are unobligated at the end of*
4 *the 3-fiscal-year period shall be deobligated and may be*
5 *used by the Secretary for any purpose under this section.*

6 *“(m) ALLOCATING AMOUNTS.—*

7 *“(1) FISCAL YEAR 2004.—The total amount of*
8 *funds made available by or appropriated under sec-*
9 *tion 5338(b) for fiscal year 2004 shall be allocated as*
10 *follows:*

11 *“(A) 40 percent for fixed guideway mod-*
12 *ernization;*

13 *“(B) 40 percent for major new fixed guide-*
14 *way capital projects; and*

15 *“(C) 20 percent to replace, rehabilitate, and*
16 *purchase buses and related equipment and to*
17 *construct bus-related facilities.*

18 *“(2) FISCAL YEARS 2005–2009.—The total amount*
19 *of funds made available by section 5338(g), and ap-*
20 *propriated under section 5338(h), for each of fiscal*
21 *years 2005 through 2009 shall be allocated in the fis-*
22 *cal year as follows:*

23 *“(A) SMALL CAPITAL PROJECTS.—From*
24 *funds appropriated under section 5338(h) for*

1 *new fixed guideway capital projects described in*
2 *subsection (d)—*

3 “(i) \$135,000,000 in fiscal year 2005;

4 “(ii) \$175,000,000 in fiscal year 2006;

5 “(iii) \$200,000,000 in fiscal year 2007;

6 “(iv) \$200,000,000 in fiscal year 2008;

7 *and*

8 “(v) \$225,000,000 in fiscal year 2009.

9 “(B) *REMAINDER.—After the allocation*
10 *under subparagraph (A), the remainder of such*
11 *total amount shall be allocated as follows:*

12 “(i) 40 percent for fixed guideway
13 modernization, to be derived from funds
14 made available under section 5338(g).

15 “(ii) 40 percent for major new fixed
16 capital guideway projects, to be derived
17 from funds appropriated under section
18 5338(h).

19 “(iii) 20 percent to replace, rehabili-
20 tate, and purchase buses and related equip-
21 ment and to construct bus-related facilities,
22 to be derived from funds made available
23 under section 5338(g).

24 “(3) *FUNDING FOR FERRY BOAT SYSTEMS.—Of*
25 *the amounts made available under paragraphs (1)(B)*

1 *and (2)(B)(ii), \$10,400,000 shall be available in each*
2 *of fiscal years 2004 through 2009 for new fixed guide-*
3 *way capital projects in Alaska or Hawaii that are for*
4 *ferry boats or ferry terminal facilities or that are for*
5 *approaches to ferry terminal facilities. Of the*
6 *amounts made available under paragraphs (1)(C)*
7 *and (2)(B)(iii), \$10,000,000 shall be available in each*
8 *of fiscal years 2005 through 2009 for ferry boats or*
9 *ferry terminal facilities.*

10 *“(4) FUEL CELL BUS PROGRAM.—Of the*
11 *amounts made available under subsections (m)(1)(C)*
12 *and (m)(2)(B)(iii) for a fiscal year, the following*
13 *amounts shall be set aside for the national fuel cell*
14 *bus technology development program under section*
15 *3039 of the Federal Public Transportation Act of*
16 *2005:*

17 *“(A) \$4,849,950 for fiscal year 2004.*

18 *“(B) \$10,000,000 for fiscal year 2005.*

19 *“(C) \$11,000,000 for fiscal year 2006.*

20 *“(D) \$12,000,000 for fiscal year 2007.*

21 *“(E) \$13,000,000 for fiscal year 2008.*

22 *“(F) \$14,000,000 for fiscal year 2009.*

23 *“(n) NEW FIXED GUIDEWAY CAPITAL PROJECT DE-*
24 *FINED.—In this section, the term ‘new fixed guideway cap-*
25 *ital project’ means a minimum operable segment of a cap-*

1 *ital project for a new fixed guideway system or extension*
 2 *to an existing fixed guideway system.”.*

3 *(e) CONFORMING AMENDMENTS.—*

4 *(1) CHAPTER ANALYSIS.—The analysis for chap-*
 5 *ter 53 is amended by striking the item relating to sec-*
 6 *tion 5309 and inserting the following:*

“5309. Capital investment grants.”.

7 *(2) SECTION 5328.—Section 5328(a) is amend-*
 8 *ed—*

9 *(A) in paragraph (2) by striking “5309(e)”*
 10 *and inserting “5309(c)”;* and

11 *(B) in paragraph (4) by striking “under*
 12 *section 5309(o)(1)” and inserting “under section*
 13 *5309(i)(1)”.*

14 **SEC. 3011. FORMULA GRANTS FOR SPECIAL NEEDS OF EL-**
 15 **DERLY INDIVIDUALS AND INDIVIDUALS WITH**
 16 **DISABILITIES.**

17 *(a) IN GENERAL.—Section 5310 is amended—*

18 *(1) by striking the section heading and inserting*
 19 *the following:*

20 **“§5310. Formula grants for special needs of elderly**
 21 **individuals and individuals with disabili-**
 22 **ties”;**

23 *(2) by striking subsections (a) through (g) and*
 24 *inserting the following:*

25 *“(a) GENERAL AUTHORITY.—*

1 “(1) *GRANTS.*—*The Secretary may make grants*
2 *to States and local governmental authorities under*
3 *this section for public transportation capital projects,*
4 *and operating costs associated with public transpor-*
5 *tation capital projects, planned, designed, and carried*
6 *out to meet the special needs of elderly individuals*
7 *and individuals with disabilities.*

8 “(2) *SUBRECIPIENTS.*—*A State that receives a*
9 *grant under this section may allocate the amounts of*
10 *the grant to—*

11 “(A) *a private nonprofit organization if the*
12 *public transportation service provided under*
13 *paragraph (1) is unavailable, insufficient, or in-*
14 *appropriate; or*

15 “(B) *a governmental authority that—*

16 “(i) *is approved by the State to coordi-*
17 *nate services for elderly individuals and in-*
18 *dividuals with disabilities; or*

19 “(ii) *certifies that there are not any*
20 *nonprofit organizations readily available in*
21 *the area to provide the services described*
22 *under paragraph (1).*

23 “(3) *ACQUIRING PUBLIC TRANSPORTATION SERV-*
24 *ICES.*—*A public transportation capital project under*

1 *this section may include acquisition of public trans-*
2 *portation services as an eligible capital expense.*

3 “(4) *ADMINISTRATIVE EXPENSES.*—*A State or*
4 *local governmental authority may use not more than*
5 *10 percent of the amounts apportioned to the State*
6 *under this section to administer, plan, and provide*
7 *technical assistance for a project funded under this*
8 *section.*

9 “(b) *APPORTIONMENT AND TRANSFERS.*—

10 “(1) *APPORTIONMENT.*—

11 “(A) *FORMULA.*—*The Secretary shall ap-*
12 *portion amounts made available to carry out*
13 *this section under a formula the Secretary ad-*
14 *ministers that considers the number of elderly*
15 *individuals and individuals with disabilities in*
16 *each State.*

17 “(B) *LOW DENSITY ADJUSTMENT.*—*In ad-*
18 *ministering the apportionment formula under*
19 *subparagraph (A)—*

20 “(i) *in the case of a State with a popu-*
21 *lation density of 10 or fewer persons per*
22 *square mile, the Secretary shall multiply by*
23 *a factor of 2 the number of elderly individ-*
24 *uals and individuals with disabilities in the*

1 *State (as determined using the most recent*
2 *decennial United States Census); and*

3 “(ii) *in the case of a State with a pop-*
4 *ulation density of more than 10 but equal*
5 *to or fewer than 30 persons per square mile,*
6 *the Secretary shall multiply by a factor of*
7 *1.25 the number of elderly individuals and*
8 *individuals with disabilities in the State*
9 *(as determined using the most recent decen-*
10 *nial United States Census).*

11 “(2) *TRANSFERS.*—*Any State’s apportionment*
12 *remaining available for obligation at the beginning of*
13 *the 90-day period before the end of the period of*
14 *availability of the apportionment is available to the*
15 *State for transfer to supplement amounts apportioned*
16 *to the State under section 5311(c) or 5336(a)(1), or*
17 *both. Any funds transferred pursuant to this para-*
18 *graph shall be made available only for eligible*
19 *projects as described in this section.*

20 “(c) *GOVERNMENT’S SHARE OF COSTS.*—

21 “(1) *CAPITAL PROJECTS.*—*A grant for a capital*
22 *project under this section shall be for 80 percent of the*
23 *net capital costs of the project, as determined by the*
24 *Secretary; except that in the case of a State described*

1 *in section 120(b)(1) of title 23, such percentage shall*
2 *be increased in accordance with such section.*

3 “(2) *OPERATING ASSISTANCE.*—*A grant made*
4 *under this section for operating assistance may not*
5 *exceed 50 percent of the net operating costs of the*
6 *project, as determined by the Secretary.*

7 “(3) *REMAINDER.*—*The remainder of the net*
8 *project costs—*

9 “(A) *may be provided from an undistrib-*
10 *uted cash surplus, a replacement or depreciation*
11 *cash fund or reserve, a service agreement with a*
12 *State or local social service agency or a private*
13 *social service organization, or new capital; and*

14 “(B) *may be derived from amounts appro-*
15 *priated to or made available to a department or*
16 *agency of the Government (other than the De-*
17 *partment of Transportation) that are eligible to*
18 *be expended for transportation.*

19 “(4) *USE OF CERTAIN FUNDS.*—*For purposes of*
20 *paragraph (3)(B), the prohibitions on the use of funds*
21 *for matching requirements under section*
22 *403(a)(5)(C)(vii) of the Social Security Act (42*
23 *U.S.C. 603(a)(5)(C)(vii)) shall not apply to Federal*
24 *or State funds to be used for transportation purposes.*

25 “(d) *GRANT REQUIREMENTS.*—

1 “(1) *IN GENERAL.*—A grant under this section
2 shall be subject to all requirements of a grant under
3 section 5307. A grant to a subrecipient under this sec-
4 tion shall be subject to such requirements to the extent
5 the Secretary considers appropriate.

6 “(2) *COORDINATION WITH NONPROFIT PRO-*
7 *VIDERS.*—A recipient that transfers funds to an ap-
8 portionment under section 5336(a)(1) pursuant to
9 subsection (b)(2) shall certify that the project for
10 which the funds are requested under this section has
11 been coordinated with nonprofit providers of services.

12 “(3) *PROJECT SELECTION AND PLANNING.*—Be-
13 ginning in fiscal year 2007, a recipient of funds
14 under this section shall certify that—

15 “(A) the projects selected were derived from
16 a locally developed, coordinated public transit-
17 human services transportation plan; and

18 “(B) the plan was developed through a
19 process that included representatives of public,
20 private, and nonprofit transportation and
21 human services providers and participation by
22 the public.

23 “(4) *FAIR AND EQUITABLE DISTRIBUTION.*—A
24 recipient of a grant under this section shall certify

1 *that allocations of the grant to subrecipients are dis-*
2 *tributed on a fair and equitable basis.*

3 “(e) *STATE PROGRAM.*—

4 “(1) *IN GENERAL.*—*Amounts made available to*
5 *carry out this section may be used for transportation*
6 *projects to assist in providing transportation services*
7 *for elderly individuals and individuals with disabili-*
8 *ties that are included in a State program of projects.*

9 “(2) *SUBMISSION AND APPROVAL.*—*A program*
10 *shall be submitted annually to the Secretary for ap-*
11 *proval and shall contain an assurance that the pro-*
12 *gram provides for maximum feasible coordination of*
13 *transportation services assisted under this section*
14 *with transportation services assisted by other Govern-*
15 *ment sources.*

16 “(f) *LEASING VEHICLES.*—*Vehicles acquired under*
17 *this section may be leased to local governmental authorities*
18 *to improve transportation services designed to meet the spe-*
19 *cial needs of elderly individuals and individuals with dis-*
20 *abilities.”; and*

21 (3) *by redesignating subsections (h) through (j)*
22 *as subsections (g) through (i), respectively.*

23 (b) *CONFORMING AMENDMENT.*—*The analysis for*
24 *chapter 53 is amended by striking the item relating to sec-*
25 *tion 5310 and inserting the following:*

“5310. Formula grants for special needs of elderly individuals and individuals with disabilities.”.

1 **SEC. 3012. FORMULA GRANTS FOR OTHER THAN URBAN-**
2 **IZED AREAS.**

3 (a) *DEFINITIONS.*—Section 5311(a) is amended to
4 read as follows:

5 “(a) *DEFINITIONS.*—In this section, the following defi-
6 nitions apply:

7 “(1) *RECIPIENT.*—The term ‘recipient’ means a
8 State that receives a Federal transit program grant
9 directly from the Government.

10 “(2) *SUBRECIPIENT.*—The term ‘subrecipient’
11 means a State or local governmental authority, non-
12 profit organization, or operator of public transpor-
13 tation services that receives a Federal transit pro-
14 gram grant indirectly through a recipient.”.

15 (b) *GENERAL AUTHORITY.*—Section 5311(b) is amend-
16 ed to read as follows:

17 “(b) *GENERAL AUTHORITY.*—

18 “(1) *GRANTS.*—Except as provided in paragraph
19 (2), the Secretary may make grants to other than ur-
20 banized areas under this section for the following:

21 “(A) *Public transportation capital projects.*

22 “(B) *Operating costs of equipment and fa-*
23 *cilities for use in public transportation.*

1 “(C) *Acquisition of public transportation*
2 *services, including service agreements with pri-*
3 *vate providers of public transportation services.*

4 “(2) *STATE PROGRAM.—*

5 “(A) *IN GENERAL.—*Amounts made avail-
6 *able to carry out this section shall be used for*
7 *projects included in a State program for public*
8 *transportation projects, including service agree-*
9 *ments with private providers of public transpor-*
10 *tation.*

11 “(B) *SUBMISSION.—*The program shall be
12 *submitted annually to the Secretary for ap-*
13 *proval.*

14 “(C) *APPROVAL.—*The Secretary may ap-
15 *prove the program only if the Secretary finds*
16 *that the program provides a fair distribution of*
17 *amounts in the State, including Indian reserva-*
18 *tions, and the maximum feasible coordination of*
19 *public transportation service assisted under this*
20 *section with transportation service assisted by*
21 *other Federal sources.*

22 “(3) *RURAL TRANSPORTATION ASSISTANCE PRO-*
23 *GRAM.—*

1 “(A) *IN GENERAL.*—*The Secretary shall*
2 *carry out a rural transportation assistance pro-*
3 *gram in other than urbanized areas.*

4 “(B) *GRANTS AND CONTRACTS.*—*In car-*
5 *rying out this paragraph, the Secretary may use*
6 *not more than 2 percent of the amount made*
7 *available to carry out this section to make grants*
8 *and contracts for transportation research, tech-*
9 *nical assistance, training, and related support*
10 *services in other than urbanized areas.*

11 “(C) *PROJECTS OF A NATIONAL SCOPE.*—
12 *Not more than 15 percent of the amounts avail-*
13 *able under subparagraph (B) may be used by the*
14 *Secretary to carry out projects of a national*
15 *scope, with the remaining balance provided to*
16 *the States.”.*

17 *(c) APPORTIONMENTS.*—*Section 5311(c) is amended to*
18 *read as follows:*

19 “(c) *APPORTIONMENTS.*—

20 “(1) *IN GENERAL.*—*The Secretary shall appor-*
21 *tion amounts made available to carry out this section*
22 *among the States in the ratio that—*

23 “(A) *the population of other than urbanized*
24 *areas in each State, as shown by the most recent*

1 *Government decennial census of population;*
2 *bears to*

3 “(B) *the population of all other than urban-*
4 *ized areas in the United States, as shown by that*
5 *census.*

6 “(2) *LOW DENSITY ADJUSTMENT.—In admin-*
7 *istering the apportionment formula under paragraph*
8 *(1)—*

9 “(A) *in the case of a State with a popu-*
10 *lation density of 10 or fewer persons per square*
11 *mile in other than urbanized areas of the State,*
12 *the Secretary shall multiply by a factor of 1.5*
13 *the population of such other than urbanized*
14 *areas (as determined using the most recent de-*
15 *ennial United States Census); and*

16 “(B) *in the case of a State with a popu-*
17 *lation density of more than 10 but equal to or*
18 *fewer than 12 persons per square mile in other*
19 *than urbanized areas of the State, the Secretary*
20 *shall multiply by a factor of 1.25 the population*
21 *of such other than urbanized areas (as deter-*
22 *mined using the most recent decennial United*
23 *States Census).*

24 “(3) *AVAILABILITY.—The amount apportioned to*
25 *a State under this subsection may be obligated by the*

1 *State for 2 fiscal years after the fiscal year in which*
2 *the amount is apportioned. An amount that is not ob-*
3 *ligated at the end of that period shall be reappor-*
4 *tioned among the States for the next fiscal year.”.*

5 *(d) USE FOR ADMINISTRATION, PLANNING, AND TECH-*
6 *NICAL ASSISTANCE.—Section 5311(e) is amended—*

7 *(1) in the subsection heading by inserting “,*
8 *planning,” after “administration”;*

9 *(2) by striking “(1) The Secretary” and insert-*
10 *ing “The Secretary”;*

11 *(3) by striking paragraph (2); and*

12 *(4) by striking “recipient” and inserting “sub-*
13 *recipient”.*

14 *(e) INTERCITY BUS TRANSPORTATION.—Section*
15 *5311(f) is amended—*

16 *(1) in paragraph (1) by striking “after Sep-*
17 *tember 30, 1993,”; and*

18 *(2) in paragraph (2) by striking “A State” and*
19 *inserting “After consultation with affected intercity*
20 *bus service providers, a State”.*

21 *(f) GOVERNMENT’S SHARE OF COSTS.—Section*
22 *5311(g) is amended to read as follows:*

23 *“(g) GOVERNMENT’S SHARE OF COSTS.—*

24 *“(1) CAPITAL PROJECTS.—A grant for a capital*
25 *project under this section shall be for 80 percent of the*

1 *net capital costs of the project, as determined by the*
2 *Secretary; except that in the case of a State described*
3 *in section 120(b)(1) of title 23, such percentage shall*
4 *be increased in accordance with such section.*

5 “(2) *OPERATING ASSISTANCE.*—*A grant made*
6 *under this section for operating assistance may not*
7 *exceed 50 percent of the net operating costs of the*
8 *project, as determined by the Secretary.*

9 “(3) *REMAINDER.*—*The remainder of net project*
10 *costs—*

11 “(A) *may be provided from an undistrib-*
12 *uted cash surplus, a replacement or depreciation*
13 *cash fund or reserve, a service agreement with a*
14 *State or local social service agency or a private*
15 *social service organization, or new capital; and*

16 “(B) *may be derived from amounts appro-*
17 *priated to or made available to a department or*
18 *agency of the Government (other than the De-*
19 *partment of Transportation) that are eligible to*
20 *be expended for transportation.*

21 “(4) *USE OF CERTAIN FUNDS.*—*For purposes of*
22 *paragraph (3)(B), the prohibitions on the use of funds*
23 *for matching requirements under section*
24 *403(a)(5)(C)(vii) of the Social Security Act (42*

1 *U.S.C. 603(a)(5)(C)(vii) shall not apply to Federal*
 2 *or State funds to be used for transportation purposes.*

3 “(5) *LIMITATION ON OPERATING ASSISTANCE.*—
 4 *A State carrying out a program of operating assist-*
 5 *ance under this section may not limit the level or ex-*
 6 *tent of use of the Government grant for the payment*
 7 *of operating expenses.”.*

8 *(g) RELATIONSHIP TO OTHER LAWS.*—*Section 5311 is*
 9 *amended—*

10 (1) *by striking subsection (h); and*

11 (2) *by redesignating subsections (i) and (j) as*
 12 *subsections (h) and (i), respectively.*

13 *(h) CORRECTION TO CHAPTER ANALYSIS.*—*The anal-*
 14 *ysis for chapter 53 is amended by striking the item relating*
 15 *to section 5311 and inserting the following:*

 “5311. *Formula grants for other than urbanized areas.*”.

16 **SEC. 3013. RESEARCH, DEVELOPMENT, DEMONSTRATION,**
 17 **AND DEPLOYMENT PROJECTS.**

18 *(a) IN GENERAL.*—*Section 5312 is amended—*

19 (1) *in subsection (a)—*

20 (A) *by striking the first parenthetical*
 21 *phrase;*

22 (B) *by striking “or contracts” and inserting*
 23 *“, contracts, cooperative agreements, or other*
 24 *transactions”;*

1 (C) by striking “help reduce urban trans-
2 portation needs, improve mass transportation
3 service,” and inserting “improve transportation
4 service”;

5 (D) by striking “urban” each place it ap-
6 pears; and

7 (E) by striking “and demonstration
8 projects” and inserting “, demonstration or de-
9 ployment projects, or evaluation of technology of
10 national significance”;

11 (2) by striking subsections (b) and (c);

12 (3) by redesignating subsections (d) and (e) as
13 subsections (b) and (c), respectively;

14 (4) in subsection (b)(2) (as so redesignated) by
15 striking “other agreements” and inserting “other
16 transactions”; and

17 (5) in subsection (c)(2) (as so redesignated) by
18 striking “public and” and inserting “public or”.

19 (b) *CONFORMING AMENDMENTS.*—

20 (1) *SECTION HEADING.*—Section 5312 is amend-
21 ed by striking the section heading and inserting the
22 following:

1 **“§ 5312. Research, development, demonstration, and**
2 **deployment projects”.**

3 (2) *CHAPTER ANALYSIS.*—*The analysis for chap-*
4 *ter 53 is amended by striking the item relating to sec-*
5 *tion 5312 and inserting the following:*

“5312. Research, development, demonstration, and deployment projects.”.

6 **SEC. 3014. COOPERATIVE RESEARCH PROGRAM.**

7 (a) *IN GENERAL.*—*Section 5313 is amended—*

8 (1) *in subsection (a) by striking “(1) The*
9 *amounts made available under paragraphs (1) and*
10 *(2)(C)(ii) of section 5338(d) of this title” and insert-*
11 *ing “The amounts made available under paragraphs*
12 *(1)(C)(iv) and (2)(C) of section 5338(d)”;*

13 (2) *by striking subsection (b);*

14 (3) *in subsection (a)(2) by striking “(2) The”*
15 *and inserting “(b) FEDERAL ASSISTANCE.—The”;*
16 *and*

17 (4) *in subsection (c) by striking “subsection (a)*
18 *of”.*

19 (b) *CONFORMING AMENDMENTS.*—

20 (1) *IN GENERAL.*—*Section 5313 is amended by*
21 *striking the section heading and inserting the fol-*
22 *lowing:*

1 **“§ 5313. Cooperative research program”.**

2 (2) *CHAPTER ANALYSIS.*—*The analysis for chap-*
 3 *ter 53 is amended by striking the item relating to sec-*
 4 *tion 5313 and inserting the following:*

“5313. Cooperative research program.”.

5 **SEC. 3015. NATIONAL RESEARCH AND TECHNOLOGY PRO-**
 6 **GRAMS.**

7 (a) *IN GENERAL.*—*Section 5314 is amended—*

8 (1) *by striking the section heading and inserting*
 9 *the following:*

10 **“§ 5314. National research and technology programs”;**

11 (2) *in subsection (a)(1)—*

12 (A) *by striking “subsections (d) and (h)(7)*
 13 *of section 5338 of this title” and inserting “sec-*
 14 *tion 5338(d)”;*

15 (B) *by striking “and contracts” and insert-*
 16 *ing “, contracts, cooperative agreements, or other*
 17 *transactions”;*

18 (C) *by striking “5303–5306,”; and*

19 (D) *by striking “5317,”;*

20 (3) *in subsection (a)(2) by striking “Of the*
 21 *amounts” and all that follows through “\$3,000,000*
 22 *to” and inserting “The Secretary shall”;*

23 (4) *by striking subsection (a)(4)(B);*

24 (5) *by redesignating subsection (a)(4)(C) as sub-*
 25 *section (a)(4)(B); and*

1 (6) *in subsection (b) by striking “or contract”*
 2 *and all that follows through “section,” and inserting*
 3 *“; contract, cooperative agreement, or other trans-*
 4 *action under subsection (a) or section 5312,”.*

5 (b) *CONFORMING AMENDMENT.—The analysis for*
 6 *chapter 53 is amended by striking the item relating to sec-*
 7 *tion 5314 and inserting the following:*

“5314. National research and technology programs.”.

8 **SEC. 3016. NATIONAL TRANSIT INSTITUTE.**

9 *Section 5315 is amended—*

10 (1) *in subsection (a) by striking “public mass*
 11 *transportation” and inserting “public transpor-*
 12 *tation”;* *and*

13 (2) *in subsection (d) by striking “mass” each*
 14 *place it appears.*

15 **SEC. 3017. JOB ACCESS AND REVERSE COMMUTE FORMULA**
 16 **GRANTS.**

17 (a) *IN GENERAL.—Chapter 53 is amended by insert-*
 18 *ing after section 5315 the following:*

19 **“§5316. Job access and reverse commute formula**
 20 **grants**

21 “(a) *DEFINITIONS.—In this section, the following defi-*
 22 *initions apply:*

23 (1) *ACCESS TO JOBS PROJECT.—The term ‘ac-*
 24 *cess to jobs project’ means a project relating to the de-*
 25 *velopment and maintenance of transportation services*

1 *designed to transport welfare recipients and eligible*
2 *low-income individuals to and from jobs and activi-*
3 *ties related to their employment, including—*

4 *“(A) transportation projects to finance*
5 *planning, capital, and operating costs of pro-*
6 *viding access to jobs under this chapter;*

7 *“(B) promoting public transportation by*
8 *low-income workers, including the use of public*
9 *transportation by workers with nontraditional*
10 *work schedules;*

11 *“(C) promoting the use of transit vouchers*
12 *for welfare recipients and eligible low-income in-*
13 *dividuals; and*

14 *“(D) promoting the use of employer-pro-*
15 *vided transportation, including the transit pass*
16 *benefit program under section 132 of the Inter-*
17 *nal Revenue Code of 1986.*

18 *“(2) ELIGIBLE LOW-INCOME INDIVIDUAL.—The*
19 *term ‘eligible low-income individual’ means an indi-*
20 *vidual whose family income is at or below 150 per-*
21 *cent of the poverty line (as that term is defined in*
22 *section 673(2) of the Community Services Block*
23 *Grant Act (42 U.S.C. 9902(2)), including any revi-*
24 *sion required by that section) for a family of the size*
25 *involved.*

1 “(3) *RECIPIENT.*—The term ‘recipient’ means a
2 designated recipient (as defined in section 5307(a)(2))
3 and a State that receives a grant under this section
4 directly.

5 “(4) *REVERSE COMMUTE PROJECT.*—The term
6 ‘reverse commute project’ means a public transpor-
7 tation project designed to transport residents of ur-
8 banized areas and other than urbanized areas to sub-
9 urban employment opportunities, including any
10 projects to—

11 “(A) subsidize the costs associated with add-
12 ing reverse commute bus, train, carpool, van
13 routes, or service from urbanized areas and other
14 than urbanized areas to suburban workplaces;

15 “(B) subsidize the purchase or lease by a
16 nonprofit organization or public agency of a van
17 or bus dedicated to shuttling employees from
18 their residences to a suburban workplace; or

19 “(C) otherwise facilitate the provision of
20 public transportation services to suburban em-
21 ployment opportunities.

22 “(5) *SUBRECIPIENT.*—The term ‘subrecipient’
23 means a State or local governmental authority, non-
24 profit organization, or operator of public transpor-

1 *tation services that receives a grant under this section*
2 *indirectly through a recipient.*

3 “(6) *WELFARE RECIPIENT.*—*The term ‘welfare*
4 *recipient’ means an individual who has received as-*
5 *sistance under a State or tribal program funded*
6 *under part A of title IV of the Social Security Act at*
7 *any time during the 3-year period before the date on*
8 *which the applicant applies for a grant under this*
9 *section.*

10 “(b) *GENERAL AUTHORITY.*—

11 “(1) *GRANTS.*—*The Secretary may make grants*
12 *under this section to a recipient for access to jobs and*
13 *reverse commute projects carried out by the recipient*
14 *or a subrecipient.*

15 “(2) *ADMINISTRATIVE EXPENSES.*—*A recipient*
16 *may use not more than 10 percent of the amounts ap-*
17 *portioned to the recipient under this section to ad-*
18 *minister, plan, and provide technical assistance for a*
19 *project funded under this section.*

20 “(c) *APPORTIONMENTS.*—

21 “(1) *FORMULA.*—*The Secretary shall apportion*
22 *amounts made available to carry out this section as*
23 *follows:*

24 “(A) *60 percent of the funds shall be appor-*
25 *tioned among designated recipients (as defined*

1 *in section 5307(a)(2)) for urbanized areas with*
2 *a population of 200,000 or more in the ratio*
3 *that—*

4 *“(i) the number of eligible low-income*
5 *individuals and welfare recipients in each*
6 *such urbanized area; bears to*

7 *“(ii) the number of eligible low-income*
8 *individuals and welfare recipients in all*
9 *such urbanized areas.*

10 *“(B) 20 percent of the funds shall be appor-*
11 *tioned among the States in the ratio that—*

12 *“(i) the number of eligible low-income*
13 *individuals and welfare recipients in ur-*
14 *banized areas with a population of less than*
15 *200,000 in each State; bears to*

16 *“(ii) the number of eligible low-income*
17 *individuals and welfare recipients in ur-*
18 *banized areas with a population of less than*
19 *200,000 in all States.*

20 *“(C) 20 percent of the funds shall be appor-*
21 *tioned among the States in the ratio that—*

22 *“(i) the number of eligible low-income*
23 *individuals and welfare recipients in other*
24 *than urbanized areas in each State; bears to*

1 “(ii) the number of eligible low-income
2 individuals and welfare recipients in other
3 than urbanized areas in all States.

4 “(2) USE OF APPORTIONED FUNDS.—Except as
5 provided in paragraph (3)—

6 “(A) funds apportioned under paragraph
7 (1)(A) shall be used for projects serving urban-
8 ized areas with a population of 200,000 or more;

9 “(B) funds apportioned under paragraph
10 (1)(B) shall be used for projects serving urban-
11 ized areas with a population of less than
12 200,000; and

13 “(C) funds apportioned under paragraph
14 (1)(C) shall be used for projects serving other
15 than urbanized areas.

16 “(3) EXCEPTIONS.—A State may use funds ap-
17 portioned under paragraphs (1)(B) and (1)(C)—

18 “(A) for projects serving areas other than
19 the area specified in paragraph (2)(B) or (2)(C),
20 as the case may be, if the Governor of the State
21 certifies that all of the objectives of this section
22 are being met in the specified area; or

23 “(B) for projects anywhere in the State if
24 the State has established a statewide program for
25 meeting the objectives of this section.

1 “(d) *COMPETITIVE PROCESS FOR GRANTS TO SUB-*
2 *RECIPIENTS.*—

3 “(1) *AREAWIDE SOLICITATIONS.*—*A recipient of*
4 *funds apportioned under subsection (c)(1)(A) shall*
5 *conduct, in cooperation with the appropriate metro-*
6 *politan planning organization, an areawide solicita-*
7 *tion for applications for grants to the recipient and*
8 *subrecipients under this section.*

9 “(2) *STATEWIDE SOLICITATION.*—*A recipient of*
10 *funds apportioned under subsection (c)(1)(B) or*
11 *(c)(1)(C) shall conduct a statewide solicitation for ap-*
12 *plications for grants to the recipient and subrecipi-*
13 *ents under this section.*

14 “(3) *APPLICATION.*—*Recipients and subrecipi-*
15 *ents seeking to receive a grant from funds apportioned*
16 *under subsection (c) shall submit to the recipient an*
17 *application in the form and in accordance with such*
18 *requirements as the recipient shall establish.*

19 “(4) *GRANT AWARDS.*—*The recipient shall award*
20 *grants under paragraphs (1) and (2) on a competitive*
21 *basis.*

22 “(e) *TRANSFERS.*—

23 “(1) *IN GENERAL.*—*A State may transfer any*
24 *funds apportioned to it under subsection (c)(1)(B) or*

1 (c)(1)(C), or both, to an apportionment under section
2 5311(c) or 5336, or both.

3 “(2) *LIMITED TO ELIGIBLE PROJECTS.*—Any ap-
4 portionment transferred under this subsection shall be
5 made available only for eligible job access and reverse
6 commute projects as described in this section.

7 “(3) *CONSULTATION.*—A State may make a
8 transfer of an amount under this subsection only after
9 consulting with responsible local officials and publicly
10 owned operators of public transportation in each area
11 for which the amount originally was awarded under
12 subsection (d)(4).

13 “(f) *GRANT REQUIREMENTS.*—

14 “(1) *IN GENERAL.*—A grant under this section
15 shall be subject to the requirements of section 5307.

16 “(2) *FAIR AND EQUITABLE DISTRIBUTION.*—A
17 recipient of a grant under this section shall certify to
18 the Secretary that allocations of the grant to sub-
19 recipients are distributed on a fair and equitable
20 basis.

21 “(g) *COORDINATION.*—

22 “(1) *IN GENERAL.*—The Secretary shall coordi-
23 nate activities under this section with related activi-
24 ties under programs of other Federal departments and
25 agencies.

1 “(2) *WITH NONPROFIT PROVIDERS.*—A State
2 that transfers funds to an apportionment under sec-
3 tion 5336 pursuant to subsection (e) shall certify to
4 the Secretary that any project for which the funds are
5 requested under this section has been coordinated with
6 nonprofit providers of services.

7 “(3) *PROJECT SELECTION AND PLANNING.*—A re-
8 cipient of funds under this section shall certify to the
9 Secretary that—

10 “(A) the projects selected were derived from
11 a locally developed, coordinated public transit-
12 human services transportation plan; and

13 “(B) the plan was developed through a
14 process that included representatives of public,
15 private, and nonprofit transportation and
16 human services providers and participation by
17 the public.

18 “(h) *GOVERNMENT’S SHARE OF COSTS.*—

19 “(1) *CAPITAL PROJECTS.*—A grant for a capital
20 project under this section may not exceed 80 percent
21 of the net capital costs of the project, as determined
22 by the Secretary.

23 “(2) *OPERATING ASSISTANCE.*—A grant made
24 under this section for operating assistance may not

1 *exceed 50 percent of the net operating costs of the*
2 *project, as determined by the Secretary.*

3 “(3) *REMAINDER.—The remainder of the net*
4 *project costs—*

5 “(A) *may be provided from an undistrib-*
6 *uted cash surplus, a replacement or depreciation*
7 *cash fund or reserve, a service agreement with a*
8 *State or local social service agency or a private*
9 *social service organization, or new capital; and*

10 “(B) *may be derived from amounts appro-*
11 *priated to or made available to a department or*
12 *agency of the Government (other than the De-*
13 *partment of Transportation) that are eligible to*
14 *be expended for transportation.*

15 “(4) *USE OF CERTAIN FUNDS.—For purposes of*
16 *paragraph (3)(B), the prohibitions on the use of funds*
17 *for matching requirements under section*
18 *403(a)(5)(C)(vii) of the Social Security Act (42*
19 *U.S.C. 603(a)(5)(C)(vii)) shall not apply to Federal*
20 *or State funds to be used for transportation purposes.*

21 “(5) *LIMITATION ON OPERATING ASSISTANCE.—*
22 *A recipient carrying out a program of operating as-*
23 *sistance under this section may not limit the level or*
24 *extent of use of the Government grant for the payment*
25 *of operating expenses.*

1 “(i) *PROGRAM EVALUATION.*—

2 “(1) *COMPTROLLER GENERAL.*—*Beginning 1*
3 *year after the date of enactment of the Federal Public*
4 *Transportation Act of 2005, and every 2 years there-*
5 *after, the Comptroller General shall—*

6 “(A) *conduct a study to evaluate the grant*
7 *program authorized by this section; and*

8 “(B) *transmit to the Committee on Trans-*
9 *portation and Infrastructure of the House of*
10 *Representatives and the Committee on Banking,*
11 *Housing, and Urban Affairs of the Senate a re-*
12 *port describing the results of the study under*
13 *subparagraph (A).*

14 “(2) *DEPARTMENT OF TRANSPORTATION.*—*Not*
15 *later than 3 years after the date of enactment of Fed-*
16 *eral Public Transportation Act of 2005, the Secretary*
17 *shall—*

18 “(A) *conduct a study to evaluate the effec-*
19 *tiveness of the grant program authorized by this*
20 *section and the effectiveness of recipients making*
21 *grants to subrecipients under this section; and*

22 “(B) *transmit to the committees referred to*
23 *in paragraph (1)(B) a report describing the re-*
24 *sults of the study under subparagraph (A).”.*

1 (b) *CONFORMING AMENDMENT.*—*The analysis for*
2 *chapter 53 is amended by inserting after the item relating*
3 *to section 5315 the following:*

“5316. Job access and reverse commute formula grants.”.

4 (c) *REPEAL.*—*Section 3037 of the Transportation Eq-*
5 *uity Act for the 21st Century (49 U.S.C. 5309 note; 112*
6 *Stat. 387) is repealed.*

7 **SEC. 3018. NEW FREEDOM PROGRAM.**

8 (a) *IN GENERAL.*—*Chapter 53 is further amended by*
9 *inserting after section 5316 the following:*

10 **“§ 5317. New Freedom program**

11 “(a) *DEFINITIONS.*—*In this section, the following defi-*
12 *initions apply:*

13 “(1) *RECIPIENT.*—*The term ‘recipient’ means a*
14 *designated recipient (as defined in section 5307(a)(2))*
15 *and a State that receives a grant under this section*
16 *directly.*

17 “(2) *SUBRECIPIENT.*—*The term ‘subrecipient’*
18 *means a State or local governmental authority, non-*
19 *profit organization, or operator of public transpor-*
20 *tation services that receives a grant under this section*
21 *indirectly through a recipient.*

22 “(b) *GENERAL AUTHORITY.*—

23 “(1) *GRANTS.*—*The Secretary may make grants*
24 *under this section to a recipient for new public trans-*
25 *portation services and public transportation alter-*

1 *natives beyond those required by the Americans with*
2 *Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) that*
3 *assist individuals with disabilities with transpor-*
4 *tation, including transportation to and from jobs and*
5 *employment support services.*

6 “(2) *ADMINISTRATIVE EXPENSES.*—*A recipient*
7 *may use not more than 10 percent of the amounts ap-*
8 *portioned to the recipient under this section to ad-*
9 *minister, plan, and provide technical assistance for a*
10 *project funded under this section.*

11 “(c) *APPORTIONMENTS.*—

12 “(1) *FORMULA.*—*The Secretary shall apportion*
13 *amounts made available to carry out this section as*
14 *follows:*

15 “(A) *60 percent of the funds shall be appor-*
16 *tioned among designated recipients (as defined*
17 *in section 5307(a)(2)) for urbanized areas with*
18 *a population of 200,000 or more in the ratio*
19 *that—*

20 “(i) *the number of individuals with*
21 *disabilities in each such urbanized area;*
22 *bears to*

23 “(ii) *the number of individuals with*
24 *disabilities in all such urbanized areas.*

1 “(B) 20 percent of the funds shall be appor-
2 tioned among the States in the ratio that—

3 “(i) the number of individuals with
4 disabilities in urbanized areas with a popu-
5 lation of less than 200,000 in each State;
6 bears to

7 “(ii) the number of individuals with
8 disabilities in urbanized areas with a popu-
9 lation of less than 200,000 in all States.

10 “(C) 20 percent of the funds shall be appor-
11 tioned among the States in the ratio that—

12 “(i) the number of individuals with
13 disabilities in other than urbanized areas in
14 each State; bears to

15 “(ii) the number of individuals with
16 disabilities in other than urbanized areas in
17 all States.

18 “(2) USE OF APPORTIONED FUNDS.—Except as
19 provided in paragraph (3)—

20 “(A) funds apportioned under paragraph
21 (1)(A) shall be used for projects serving urban-
22 ized areas with a population of 200,000 or more;

23 “(B) funds apportioned under paragraph
24 (1)(B) shall be used for projects serving urban-

1 *ized areas with a population of less than*
2 *200,000; and*

3 “(C) funds apportioned under paragraph
4 (1)(C) shall be used for projects serving other
5 than urbanized areas.

6 “(3) *LOW DENSITY ADJUSTMENT.*—

7 “(A) *SMALLER URBANIZED AREAS.*—*In ad-*
8 *ministering the apportionment formula under*
9 *paragraph (1)(B)—*

10 “(i) *in the case of a State with a popu-*
11 *lation density of 10 or fewer persons per*
12 *square mile in other than urbanized areas*
13 *of the State, the Secretary shall multiply by*
14 *a factor of 2 the number of individuals with*
15 *disabilities in urbanized areas of the State*
16 *with a population of less than 200,000 (as*
17 *determined using the most recent decennial*
18 *United States Census); and*

19 “(ii) *in the case of a State with a pop-*
20 *ulation density of more than 10 but equal*
21 *to or fewer than 30 persons per square mile,*
22 *the Secretary shall multiply by a factor of*
23 *1.25 the number of individuals with disabil-*
24 *ities in urbanized areas of the State with a*
25 *population of less than 200,000 (as deter-*

1 mined using the most recent decennial
2 United States Census).

3 “(B) *OTHER THAN URBANIZED AREAS.*—In
4 administering the apportionment formula under
5 paragraph (1)(C)—

6 “(i) in the case of a State with a popu-
7 lation density of 10 or fewer persons per
8 square mile in other than urbanized areas
9 of the State, the Secretary shall multiply by
10 a factor of 1.5 the number of individuals
11 with disabilities in other than urbanized
12 areas of the State (as determined using the
13 most recent decennial United States Cen-
14 sus); and

15 “(ii) in the case of a State with a pop-
16 ulation density of more than 10 but equal
17 to or fewer than 12 persons per square mile
18 in other than urbanized areas of the State,
19 the Secretary shall multiply by a factor of
20 1.25 the number of individuals with disabil-
21 ities in other than urbanized areas of the
22 State (as determined using the most recent
23 decennial United States Census).

24 “(4) *TRANSFERS.*—

1 “(A) *IN GENERAL.*—A State may transfer
2 any funds apportioned to it under paragraph
3 (1)(B) or (1)(C), or both, to an apportionment
4 under section 5311(c) or 5336, or both.

5 “(B) *LIMITED TO ELIGIBLE PROJECTS.*—
6 Any funds transferred pursuant to this para-
7 graph shall be made available only for eligible
8 projects selected under this section.

9 “(C) *CONSULTATION.*—A State may make a
10 transfer of an amount under this subsection only
11 after consulting with responsible local officials
12 and publicly owned operators of public transpor-
13 tation in each area for which the amount origi-
14 nally was awarded under subsection (d)(4).

15 “(d) *COMPETITIVE PROCESS FOR GRANTS TO SUB-*
16 *RECIPIENTS.*—

17 “(1) *AREAWIDE SOLICITATIONS.*—A recipient of
18 funds apportioned under subsection (c)(1)(A) shall
19 conduct, in cooperation with the appropriate metro-
20 politan planning organization, an areawide sollicita-
21 tion for applications for grants to the recipient and
22 subrecipients under this section.

23 “(2) *STATEWIDE SOLICITATION.*—A recipient of
24 funds apportioned under subsection (c)(1)(B) or
25 (c)(1)(C) shall conduct a statewide solicitation for ap-

1 *plications for grants to the recipient and subrecipi-*
2 *ents under this section.*

3 “(3) *APPLICATION.—Recipients and subrecipi-*
4 *ents seeking to receive a grant from funds apportioned*
5 *under subsection (c) shall submit to the recipient an*
6 *application in the form and in accordance with such*
7 *requirements as the recipient shall establish.*

8 “(4) *GRANT AWARDS.—The recipient shall award*
9 *grants under paragraphs (1) and (2) on a competitive*
10 *basis.*

11 “(e) *GRANT REQUIREMENTS.—*

12 “(1) *IN GENERAL.—Except as provided in para-*
13 *graph (2), a grant under this section shall be subject*
14 *to all the requirements of section 5307.*

15 “(2) *EMPLOYEE PROTECTIVE ARRANGEMENTS.—*
16 *Section 5333(b) shall apply to grants under this sec-*
17 *tion, except that the Secretary of Labor shall utilize,*
18 *for urbanized areas with a population of less than*
19 *200,000 and for other than urbanized areas, a special*
20 *warranty described in section 215.7 of title 29, Code*
21 *of Federal Regulations (as in effect on the date of en-*
22 *actment of the Federal Public Transportation Act of*
23 *2005), that provides a fair and equitable arrangement*
24 *to protect the interest of employees.*

1 “(3) *FAIR AND EQUITABLE DISTRIBUTION.*—A
2 *recipient of a grant under this section shall certify*
3 *that allocations of the grant to subrecipients are dis-*
4 *tributed on a fair and equitable basis.*

5 “(f) *COORDINATION.*—

6 “(1) *IN GENERAL.*—*The Secretary shall coordi-*
7 *nate activities under this section with related activi-*
8 *ties under programs of other Federal departments and*
9 *agencies.*

10 “(2) *WITH NONPROFIT PROVIDERS.*—*A recipient*
11 *that transfers funds to an apportionment under sec-*
12 *tion 5336 pursuant to subsection (c)(2) shall certify*
13 *that the project for which the funds are requested*
14 *under this section has been coordinated with non-*
15 *profit providers of services.*

16 “(3) *PROJECT SELECTION AND PLANNING.*—*Be-*
17 *ginning in fiscal year 2007, a recipient of funds*
18 *under this section shall certify that—*

19 “(A) *the projects selected were derived from*
20 *a locally developed, coordinated public transit-*
21 *human services transportation plan; and*

22 “(B) *the plan was developed through a*
23 *process that included representatives of public,*
24 *private, and nonprofit transportation and*

1 *human services providers and participation by*
2 *the public.*

3 “(g) *GOVERNMENT’S SHARE OF COSTS.*—

4 “(1) *CAPITAL PROJECTS.*—*A grant for a capital*
5 *project under this section may not exceed 80 percent*
6 *of the net capital costs of the project, as determined*
7 *by the Secretary.*

8 “(2) *OPERATING ASSISTANCE.*—*A grant made*
9 *under this section for operating assistance may not*
10 *exceed 50 percent of the net operating costs of the*
11 *project, as determined by the Secretary.*

12 “(3) *REMAINDER.*—*The remainder of the net*
13 *project costs—*

14 “(A) *may be provided from an undistrib-*
15 *uted cash surplus, a replacement or depreciation*
16 *cash fund or reserve, a service agreement with a*
17 *State or local social service agency or a private*
18 *social service organization, or new capital; and*

19 “(B) *may be derived from amounts appro-*
20 *priated to or made available to a department or*
21 *agency of the Government (other than the De-*
22 *partment of Transportation) that are eligible to*
23 *be expended for transportation.*

24 “(4) *USE OF CERTAIN FUNDS.*—*For purposes of*
25 *paragraph (3)(B), the prohibitions on the use of funds*

1 *for matching requirements under section*
2 *403(a)(5)(C)(vii) of the Social Security Act (42*
3 *U.S.C. 603(a)(5)(C)(vii)) shall not apply to Federal*
4 *or State funds to be used for transportation purposes.*

5 “(5) *LIMITATION ON OPERATING ASSISTANCE.—*
6 *A recipient carrying out a program of operating as-*
7 *sistance under this section may not limit the level or*
8 *extent of use of the Government grant for the payment*
9 *of operating expenses.”.*

10 (b) *CONFORMING AMENDMENT.—The analysis for*
11 *chapter 53 is amended by inserting after the item relating*
12 *to section 5316 the following:*

“5317. New freedom program.”.

13 **SEC. 3019. BUS TESTING FACILITY.**

14 (a) *IN GENERAL.—Section 5318 is amended—*

15 (1) *by striking subsection (a) and inserting the*
16 *following:*

17 “(a) *FACILITY.—The Secretary of Transportation shall*
18 *maintain one facility for testing a new bus model for main-*
19 *tainability, reliability, safety, performance (including brak-*
20 *ing performance), structural integrity, fuel economy, emis-*
21 *sions, and noise.”;*

22 (2) *in subsection (d) by striking “under section*
23 *5309(m)(1)(C) of this title” and inserting “to carry*
24 *out this section”;* and

1 (3) *by striking subsection (e) and inserting the*
 2 *following:*

3 “(e) *ACQUIRING NEW BUS MODELS.*—*Amounts appro-*
 4 *priated or made available under this chapter may be obli-*
 5 *gated or expended to acquire a new bus model only if a*
 6 *bus of that model has been tested at the facility maintained*
 7 *by the Secretary under subsection (a).”.*

8 (b) *CONFORMING AMENDMENT.*—*Section 5323(c) is re-*
 9 *pealed.*

10 **SEC. 3020. BICYCLE FACILITIES.**

11 *The first sentence of section 5319 is amended—*

12 (1) *by striking “5309(h),” and inserting*
 13 *“5309(g),”; and*

14 (2) *by striking “and 5311” and inserting “5311,*
 15 *and 5320”.*

16 **SEC. 3021. TRANSIT IN THE PARKS PILOT PROGRAM.**

17 (a) *IN GENERAL.*—*Section 5320 is amended to read*
 18 *as follows:*

19 **“§ 5320. Transit in the parks pilot program**

20 “(a) *PUBLIC TRANSPORTATION DEFINED.*—*In this sec-*
 21 *tion, the term ‘public transportation’ means general or spe-*
 22 *cial transportation to the public by a conveyance that is*
 23 *publicly or privately owned. Such term does not include*
 24 *schoolbus or charter transportation but does include sight-*
 25 *seeing transportation.*

1 “(b) *ESTABLISHMENT.*—Not later than 90 days after
2 the date of enactment of the Federal Public Transportation
3 Act of 2005, the Secretary of Transportation and the Sec-
4 retary of the Interior shall enter into a memorandum of
5 understanding to establish a transit in the parks pilot pro-
6 gram in accordance with the requirements of this section.

7 “(c) *PURPOSE.*—The purpose of the pilot program
8 shall be to encourage and promote the development of trans-
9 portation systems described in section 5301(a) within units
10 of the National Park System to improve visitor mobility
11 and enjoyment (including visitors with disabilities), reduce
12 pollution and congestion, and enhance resource protection
13 through the use of public transportation.

14 “(d) *ADMINISTRATION OF PROGRAM.*—The program
15 shall be administered by the Secretary of Transportation,
16 in consultation with the Secretary of the Interior.

17 “(e) *MEMORANDUM OF UNDERSTANDING.*—

18 “(1) *PLANNING.*—The memorandum of under-
19 standing under subsection (b) shall include transpor-
20 tation planning procedures that are consistent with
21 the metropolitan and statewide planning processes re-
22 quired under chapter 52.

23 “(2) *PROGRAMS.*—The memorandum of under-
24 standing shall include descriptions of programs and

1 *activities eligible for assistance under the pilot pro-*
2 *gram.*

3 “(3) *EXCEPTIONS.*—*The memorandum of under-*
4 *standing shall limit or modify the applicability of the*
5 *provisions referred to in subsection (f) to the extent*
6 *necessary to carry out the objectives of this section*
7 *and to be compatible with the laws and regulations*
8 *governing units of the National Park System.*

9 “(f) *ELIGIBLE USE OF FUNDS.*—*Except as provided*
10 *under subsection (e)(3), the Secretary may provide funds*
11 *made available to carry out this section to the Secretary*
12 *of the Interior under interagency agreements for the fol-*
13 *lowing purposes:*

14 “(1) *PLANNING, ENGINEERING, DESIGN, AND*
15 *EVALUATION.*—*Planning, engineering, design, and*
16 *evaluation of public transportation projects in units*
17 *of the National Park System, and for technical stud-*
18 *ies, in accordance with section 5305(b)(2).*

19 “(2) *PUBLIC TRANSPORTATION CAPITAL*
20 *PROJECTS.*—*Public transportation capital projects*
21 *(as defined in section 5302(a)(1)) for such units in*
22 *accordance with all the terms and conditions to which*
23 *a grant is made under subsections (a), (b), (c), and*
24 *(d) of section 5307 and such other terms and condi-*
25 *tions as are determined by the Secretary. The Sec-*

1 *retary of the Interior shall act as the designated re-*
2 *ipient for the purposes of subsection (a)(2) of section*
3 *5307.*

4 “(3) *OPERATING COSTS.*—*Operating costs of*
5 *equipment and facilities used in public transpor-*
6 *tation for such units.*

7 “(g) *GOVERNMENT’S SHARE OF COSTS.*—

8 “(1) *CAPITAL PROJECTS.*—*The Government*
9 *share of the cost of any capital project or activity*
10 *under this section shall be 100 percent of the costs of*
11 *the project, as determined by the Secretary.*

12 “(2) *OPERATING ASSISTANCE.*—*A grant made*
13 *under this section for operating assistance may not*
14 *exceed 50 percent of the net operating costs of the*
15 *project, as determined by the Secretary.*

16 “(h) *SAVINGS CLAUSE.*—*Nothing in this section shall*
17 *be construed as superseding, amending, modifying, or re-*
18 *pealing any provision of law applicable to units of the Na-*
19 *tional Park System.”.*

20 (b) *CONFORMING AMENDMENT.*—*The analysis for such*
21 *chapter is further amended by striking the item relating*
22 *to section 5320 and inserting the following:*

 “5320. *Transit in the parks pilot program.*”.

23 **SEC. 3022. HUMAN RESOURCE PROGRAMS.**

24 *Section 5322 is amended—*

1 (1) by inserting “(a) *In General.*—” before “*The*
2 *Secretary*”; and

3 (2) by adding at the end the following:

4 “(b) *GRANTS TO HIGHER LEARNING INSTITUTIONS.*—

5 “(1) *AUTHORITY TO MAKE GRANTS.*—*The Sec-*
6 *retary may make grants to nonprofit institutions of*
7 *higher learning—*

8 “(A) *to conduct research and investigations*
9 *into the theoretical or practical problems of pub-*
10 *lic transportation; and*

11 “(B) *to train individuals to conduct further*
12 *research or obtain employment in an organiza-*
13 *tion that plans, builds, operates, or manages a*
14 *public transportation system.*

15 “(2) *RESEARCH AND INVESTIGATIONS.*—*Research*
16 *and investigations under this subsection include—*

17 “(A) *the design and use of public transpor-*
18 *tation systems and public roads and highways;*

19 “(B) *the interrelationship between various*
20 *modes of urban, suburban, rural, and intercity*
21 *transportation;*

22 “(C) *the role of transportation planning in*
23 *overall urban planning;*

24 “(D) *public preferences in transportation;*

1 “(E) the economic allocation of transpor-
2 tation resources; and

3 “(F) the legal, financial, engineering, and
4 esthetic aspects of public transportation.

5 “(3) PREFERENCE.—When making a grant
6 under this subsection, the Secretary shall give pref-
7 erence to an institution that brings together knowl-
8 edge and expertise in the various social science and
9 technical disciplines related to public transportation
10 problems.

11 “(c) FELLOWSHIPS.—

12 “(1) AUTHORITY TO MAKE GRANTS.—The Sec-
13 retary may make grants to States, local governmental
14 authorities, and operators of public transportation
15 systems to provide fellowships to train personnel em-
16 ployed in managerial, technical, and professional po-
17 sitions in the public transportation field.

18 “(2) TERMS.—

19 “(A) PERIOD OF TRAINING.—A fellowship
20 under this subsection may be for not more than
21 one year of training in an institution that offers
22 a program applicable to the public transpor-
23 tation industry.

24 “(B) SELECTION OF INDIVIDUALS.—The re-
25 cipient of the grant shall select an individual on

1 *the basis of demonstrated ability and for the con-*
2 *tribution the individual reasonably can be ex-*
3 *pected to make to an efficient public transpor-*
4 *tation operation.*

5 “(C) AMOUNT.—A grant for a fellowship
6 may not be more than the lesser of \$65,000 or
7 75 percent of—

8 “(i) tuition and other charges to the
9 fellowship recipient;

10 “(ii) additional costs incurred by the
11 training institution and billed to the grant
12 recipient; and

13 “(iii) the regular salary of the fellow-
14 ship recipient for the period of the fellow-
15 ship to the extent the salary is actually
16 paid or reimbursed by the grant recipient.”.

17 **SEC. 3023. GENERAL PROVISIONS ON ASSISTANCE.**

18 (a) INTERESTS IN PROPERTY.—Section 5323(a)(1) is
19 amended—

20 (1) in the matter preceding subparagraph (A)—

21 (A) by striking “private mass transpor-
22 tation company” each place it appears and in-
23 serting “private company engaged in public
24 transportation”;

1 (B) by striking “mass transportation equip-
2 ment or a mass transportation facility” and in-
3 serting “a public transportation facility or
4 equipment”; and

5 (C) by striking “mass transportation com-
6 pany” and inserting “public transportation
7 company”; and

8 (2) in subparagraph (B) by striking “private
9 mass transportation companies” and inserting “pri-
10 vate companies engaged in public transportation”.

11 (b) NOTICE AND PUBLIC HEARING.—Section 5323(b)
12 is amended—

13 (1) in paragraph (1)—

14 (A) by striking “(1) An application” and
15 inserting the following:

16 “(1) APPLICATIONS.—An application”;

17 (B) in the matter preceding subparagraph

18 (A) by striking “or loan”; and

19 (C) by moving subparagraphs (A) through

20 (D) 2 ems to the right;

21 (2) in paragraph (2) by striking “(2) Notice of”
22 and inserting the following:

23 “(2) NOTICE.—Notice of”; and

24 (3) by adding at the end the following:

1 “(3) *ENVIRONMENTAL RECORD.*—*An applicant*
2 *shall include in the environmental record for a project*
3 *under this chapter evidence that the applicant has*
4 *complied with the requirements of subparagraphs (A)*
5 *through (D) of paragraph (1).”.*

6 (c) *CONDITION ON CHARTER BUS TRANSPORTATION*
7 *SERVICE.*—*Section 5323(d) is amended—*

8 (1) *by striking “(1) Financial assistance” and*
9 *inserting the following:*

10 “(1) *AGREEMENTS.*—*Financial assistance”;* and

11 (2) *by striking paragraph (2) and inserting the*
12 *following:*

13 “(2) *VIOLATIONS.*—

14 “(A) *INVESTIGATIONS.*—*On receiving a*
15 *complaint about a violation of the agreement re-*
16 *quired under paragraph (1), the Secretary shall*
17 *investigate and decide whether a violation has*
18 *occurred.*

19 “(B) *ENFORCEMENT OF AGREEMENTS.*—*If*
20 *the Secretary decides that a violation has oc-*
21 *curred, the Secretary shall correct the violation*
22 *under terms of the agreement.*

23 “(C) *ADDITIONAL REMEDIES.*—*In addition*
24 *to any remedy specified in the agreement, the*
25 *Secretary shall bar a recipient or an operator*

1 *from receiving Federal transit assistance in an*
2 *amount the Secretary considers appropriate if*
3 *the Secretary finds a pattern of violations of the*
4 *agreement.”.*

5 *(d) BOND PROCEEDS ELIGIBLE FOR LOCAL SHARE.—*

6 *Section 5323(e) is amended to read as follows:*

7 “*(e) BOND PROCEEDS ELIGIBLE FOR LOCAL*
8 *SHARE.—*

9 “*(1) USE AS LOCAL MATCHING FUNDS.—Not-*
10 *withstanding any other provision of law, a recipient*
11 *of assistance under section 5307 or 5309 may use the*
12 *proceeds from the issuance of revenue bonds as part*
13 *of the local matching funds for a capital project.*

14 “*(2) MAINTENANCE OF EFFORT.—The Secretary*
15 *shall approve of the use of the proceeds from the*
16 *issuance of revenue bonds for the remainder of the net*
17 *project cost only if the Secretary finds that the aggregate*
18 *amount of financial support for public transportation*
19 *in the urbanized area provided by the State*
20 *and affected local governmental authorities during the*
21 *next 3 fiscal years, as programmed in the State*
22 *transportation improvement program under chapter*
23 *52 is not less than the aggregate amount provided by*
24 *the State and affected local governmental authorities*

1 *in the urbanized area during the preceding 3 fiscal*
2 *years.*

3 “(3) *DEBT SERVICE RESERVE.*—*The Secretary*
4 *may reimburse an eligible recipient for deposits of*
5 *bond proceeds in a debt service reserve that recipient*
6 *established pursuant to section 5302(a)(1)(K) from*
7 *amounts made available to the recipient under section*
8 *5307 or 5309, or both; except that such reimbursement*
9 *in a fiscal year may not exceed 10 percent of the*
10 *amounts made available to the recipient under section*
11 *5307 in such fiscal year.”.*

12 (e) *SCHOOLBUS TRANSPORTATION.*—*Section 5323(f) is*
13 *amended—*

14 (1) *by striking “(1) Financial assistance” and*
15 *inserting the following:*

16 “(1) *AGREEMENTS.*—*Financial assistance”;*

17 (2) *in paragraph (1) by moving subparagraphs*
18 *(A), (B), and (C) 2 ems to the right; and*

19 (3) *by striking paragraph (2) and inserting the*
20 *following:*

21 “(2) *VIOLATIONS.*—*If the Secretary finds that an*
22 *applicant, governmental authority, or publicly owned*
23 *operator has violated the agreement required under*
24 *paragraph (1), the Secretary shall bar a recipient or*

1 *an operator from receiving Federal transit assistance*
2 *in an amount the Secretary considers appropriate.”.*

3 *(f) BUYING BUSES UNDER OTHER LAWS.—Section*
4 *5323(g) is amended by striking “103(e)(4)” each place it*
5 *appears and inserting “133”.*

6 *(g) BUY AMERICA.—*

7 *(1) PUBLIC INTEREST WAIVER.—Section 5323(j)*
8 *is amended—*

9 *(A) by redesignating paragraphs (3)*
10 *through (7) as paragraphs (4) through (8), re-*
11 *spectively; and*

12 *(B) by inserting after paragraph (2) the fol-*
13 *lowing:*

14 *“(3) WRITTEN JUSTIFICATION FOR PUBLIC IN-*
15 *TEREST WAIVER.—When issuing a waiver based on a*
16 *public interest determination under paragraph*
17 *(2)(A), the Secretary shall issue a detailed written*
18 *justification as to why the waiver is in the public in-*
19 *terest. The Secretary shall publish such justification*
20 *in the Federal Register and provide the public with*
21 *a reasonable period of time for notice and comment.”.*

22 *(2) INELIGIBILITY FOR CONTRACTS.—Section*
23 *5323(j)(6) (as so redesignated) is amended by striking*
24 *“Intermodal Surface Transportation Efficiency Act of*

1 1991 (Public Law 102–240, 105 Stat. 1914)” and in-
2 serting “Federal Public Transportation Act of 2004”.

3 (3) *ADMINISTRATIVE REVIEW*.—Section 5323(j)
4 is amended by adding at the end the following:

5 “(9) *ADMINISTRATIVE REVIEW*.—A party ad-
6 versely affected by an agency action under this sub-
7 section shall have the right to seek review under sec-
8 tion 702 of title 5.”.

9 (4) *REPEAL OF GENERAL WAIVER*.—Subsections
10 (b) and (c) of Appendix A of section 661.7 of title 49,
11 Code of Federal Regulations, shall cease to be in effect
12 beginning on the date of enactment of this Act.

13 (5) *RULEMAKING*.—Not later than 180 days
14 after the date of enactment of this Act, the Secretary
15 shall issue a final rule on implementation of the re-
16 quirements of section 5323(j) of title 49, United
17 States Code (in this paragraph referred to as the
18 “Buy America requirements”). The purposes of the
19 regulations shall be as follows:

20 (A) *MICROPROCESSOR WAIVER*.—To clarify
21 that any waiver from the Buy America require-
22 ments issued under section 5323(j)(2) of such
23 title for a microprocessor, computer, or micro-
24 computer applies only to a device used solely for
25 the purpose of processing or storing data and

1 *does not extend to a product containing a micro-*
2 *processor, computer, or microcomputer.*

3 *(B) DEFINITION OF END PRODUCT.—To de-*
4 *fine the term “end product” for purposes of part*
5 *661 of title 49, Code of Federal Regulations. In*
6 *defining the term, the Secretary shall develop a*
7 *list of representative items that are subject to the*
8 *Buy America requirements, and shall address the*
9 *procurement of systems under the definition to*
10 *ensure that major system procurements are not*
11 *used to circumvent the Buy America require-*
12 *ments.*

13 *(h) GRANT REQUIREMENTS.—Section 5323(o) is*
14 *amended by striking “the Transportation Infrastructure Fi-*
15 *nance and Innovation Act of 1998” and inserting “chapter*
16 *6 (other than section 609) of title 23”.*

17 **SEC. 3024. SPECIAL PROVISIONS FOR CAPITAL PROJECTS.**

18 *(a) IN GENERAL.—Section 5324 is amended to read*
19 *as follows:*

20 **“§ 5324. Special provisions for capital projects**

21 *“(a) RELOCATION PROGRAM REQUIREMENTS.—Fi-*
22 *nancial assistance may be provided under section 5309 only*
23 *if the Secretary decides that—*

24 *“(1) an adequate relocation program is being*
25 *carried out for families displaced by a project; and*

1 “(2) *an equal number of decent, safe, and sani-*
2 *tary dwellings are being, or will be, provided to those*
3 *families in the same area or in another area gen-*
4 *erally not less desirable for public utilities and public*
5 *and commercial facilities, at rents or prices within*
6 *the financial means of those families, and with rea-*
7 *sonable access to their places of employment.*

8 “(b) *CONSIDERATION OF ECONOMIC, SOCIAL, AND EN-*
9 *VIRONMENTAL INTERESTS.—*

10 “(1) *COOPERATION AND CONSULTATION.—In car-*
11 *rying out the policy of section 5301(e), the Secretary*
12 *shall cooperate and consult with the Secretaries of the*
13 *Interior, Health and Human Services, and Housing*
14 *and Urban Development and the Administrator of the*
15 *Environmental Protection Agency on each project*
16 *that may have a substantial impact on the environ-*
17 *ment.*

18 “(2) *PUBLIC PARTICIPATION IN ENVIRONMENTAL*
19 *REVIEWS.—In performing environmental reviews, the*
20 *Secretary shall review each transcript of a hearing*
21 *submitted under section 5323(b) to establish that an*
22 *adequate opportunity to present views was given to*
23 *all parties having a significant economic, social, or*
24 *environmental interest in the project, and that the*
25 *project application includes a record of—*

1 “(A) *the environmental impact of the pro-*
2 *posal;*

3 “(B) *adverse environmental effects that can-*
4 *not be avoided;*

5 “(C) *alternatives to the proposal; and*

6 “(D) *irreversible and irretrievable impacts*
7 *on the environment.*

8 “(3) *APPROVAL OF APPLICATIONS FOR ASSIST-*
9 *ANCE.—*

10 “(A) *FINDINGS BY THE SECRETARY.—The*
11 *Secretary may approve an application for finan-*
12 *cial assistance for a capital project in accord-*
13 *ance with this chapter only if the Secretary*
14 *makes written findings, after reviewing the ap-*
15 *plication and the transcript of any hearing held*
16 *before a State or local governmental authority*
17 *under section 5323(b), that—*

18 “(i) *an adequate opportunity to*
19 *present views was given to all parties hav-*
20 *ing a significant economic, social, or envi-*
21 *ronmental interest;*

22 “(ii) *the preservation and enhancement*
23 *of the environment and the interest of the*
24 *community in which the project is located*
25 *were considered; and*

1 “(iii) no adverse environmental effect
2 is likely to result from the project, or no fea-
3 sible and prudent alternative to the effect
4 exists and all reasonable steps have been
5 taken to minimize the effect.

6 “(B) HEARING.—If a hearing has not been
7 conducted or the Secretary decides that the
8 record of the hearing is inadequate for making
9 the findings required by this subsection, the Sec-
10 retary shall conduct a hearing on an environ-
11 mental issue raised by the application after giv-
12 ing adequate notice to interested persons.

13 “(C) AVAILABILITY OF FINDINGS.—The Sec-
14 retary’s findings under subparagraph (A) shall
15 be made a matter of public record.”.

16 (b) CONFORMING AMENDMENT.—The analysis for
17 chapter 53 is amended by striking the item relating to sec-
18 tion 5324 and inserting the following:

 “5324. Special provisions for capital projects.”.

19 **SEC. 3025. CONTRACT REQUIREMENTS.**

20 (a) IN GENERAL.—Section 5325 is amended—

21 (1) by striking subsections (a) and (b) and in-
22 serting the following:

23 “(a) COMPETITION.—Recipients of Federal assistance
24 under this chapter shall conduct all procurement trans-

1 *actions involving such assistance in a manner providing*
2 *full and open competition, as determined by the Secretary.*

3 “(b) *ARCHITECTURAL, ENGINEERING, AND DESIGN*
4 *CONTRACTS.—*

5 “(1) *PROCEDURES FOR AWARDING CONTRACT.—*

6 *A contract or requirement for program management,*
7 *architectural engineering, construction management,*
8 *a feasibility study, and preliminary engineering, de-*
9 *sign, architectural, engineering, surveying, mapping,*
10 *or related services for a project for which Federal as-*
11 *sistance is provided under this chapter shall be*
12 *awarded in the same way as a contract for architec-*
13 *tural and engineering services is negotiated under*
14 *chapter 11 of title 40 or an equivalent qualifications-*
15 *based requirement of a State.*

16 “(2) *EFFECT OF STATE LAWS.—This subsection*
17 *does not apply to the extent a State has adopted, be-*
18 *fore the date of enactment of the Federal Public*
19 *Transportation Act of 2005, by law a formal proce-*
20 *dure for procuring those services.*

21 “(3) *ADMINISTRATION OF CONTRACTS.—When*
22 *awarding such contracts, recipients of assistance*
23 *under this chapter shall maximize efficiencies of ad-*
24 *ministration by accepting nondisputed audits con-*
25 *ducted by other governmental agencies as follows:*

1 “(A) *PERFORMANCE OF AUDITS.*—Any con-
2 tract or subcontract awarded under this chapter
3 shall be performed and audited in compliance
4 with cost principles contained in the Federal Ac-
5 quisition Regulation (part 31 of title 48, Code of
6 Federal Regulations).

7 “(B) *INDIRECT COST RATES.*—Instead of
8 performing its own audits, a recipient of funds
9 under a contract or subcontract awarded under
10 this chapter shall accept indirect cost rates estab-
11 lished in accordance with the Federal Acquisi-
12 tion Regulation for one-year applicable account-
13 ing periods by a cognizant Federal or State gov-
14 ernment agency, if such rates are not currently
15 under dispute.

16 “(C) *APPLICATION OF RATES.*—Once a
17 firm’s indirect cost rates are accepted under this
18 paragraph, the recipient of the funds shall apply
19 such rates for the purposes of contract esti-
20 mation, negotiation, administration, reporting,
21 and contract payment and shall not be limited
22 by administrative or de facto ceilings.

23 “(D) *PRENOTIFICATION; CONFIDENTIALITY*
24 *OF DATA.*—A recipient of funds requesting or
25 using the cost and rate data described in para-

1 *graph (3) shall notify any affected firm before*
2 *such request or use. Such data shall be confiden-*
3 *tial and shall not be accessible or provided, in*
4 *whole or in part, to another firm or to any gov-*
5 *ernment agency that is not part of the group of*
6 *agencies sharing cost data under this paragraph,*
7 *except by written permission of the audited firm.*
8 *If prohibited by law, such cost and rate data*
9 *shall not be disclosed under any circumstances.”;*

10 *and*

11 *(2) by adding at the end the following:*

12 “(d) *DESIGN-BUILD SYSTEM PROJECTS.*—

13 “(1) *DEFINITION.*—*In this section, the term ‘de-*
14 *sign-build system project’ means a project under*
15 *which a recipient enters into a contract with a seller,*
16 *firm, or consortium of firms to design and build a*
17 *public transportation system or an operable segment*
18 *thereof that meets specific performance criteria. Such*
19 *project may also include an option to finance, or op-*
20 *erate for a period of time, the system or segment or*
21 *any combination of designing, building, operating, or*
22 *maintaining such system or segment.*

23 “(2) *FINANCIAL ASSISTANCE.*—*Government fi-*
24 *nancial assistance under this chapter may be made*
25 *available for the capital costs of a design-build system*

1 *project after the recipient complies with Government*
2 *requirements.*

3 “(e) *MULTIYEAR ROLLING STOCK.*—

4 “(1) *CONTRACTS.*—*A recipient procuring rolling*
5 *stock with Government financial assistance under this*
6 *chapter may make a multiyear contract to buy the*
7 *rolling stock and replacement parts under which the*
8 *recipient has an option to buy additional rolling*
9 *stock or replacement parts for not more than 5 years*
10 *after the date of the original contract.*

11 “(2) *COOPERATION AMONG RECIPIENTS.*—*The*
12 *Secretary shall allow at least 2 recipients to act on*
13 *a cooperative basis to procure rolling stock in compli-*
14 *ance with this subsection and other Government pro-*
15 *curement requirements.*

16 “(f) *ACQUIRING ROLLING STOCK.*—*A recipient of fi-*
17 *nancial assistance under this chapter may enter into a con-*
18 *tract to expend that assistance to acquire rolling stock—*

19 “(1) *based on—*

20 “(A) *initial capital costs; or*

21 “(B) *performance, standardization, life*
22 *cycle costs, and other factors; or*

23 “(2) *with a party selected through a competitive*
24 *procurement process.*

1 “(g) *EXAMINATION OF THE RECORDS.*—Upon request,
2 *the Secretary, the Comptroller General, or a representative*
3 *of the Secretary or the Comptroller General shall have access*
4 *to and the right to examine and inspect all records, docu-*
5 *ments, papers, including contracts, related to a project for*
6 *which a grant is made under this chapter.*

7 “(h) *GRANT PROHIBITIONS.*—A grant may not be used
8 *to support a procurement that uses an exclusionary or dis-*
9 *criminatory specification.”.*

10 (b) *CONFORMING AMENDMENTS.*—Section 5326, and
11 *the item relating to section 5326 in the analysis for chapter*
12 *53, are repealed.*

13 **SEC. 3026. PROJECT MANAGEMENT OVERSIGHT AND RE-**
14 **VIEW.**

15 (a) *PROJECT MANAGEMENT PLAN REQUIREMENTS.*—
16 *Section 5327(a) is amended—*

17 (1) *by striking “and” at the end of paragraph*
18 *(11);*

19 (2) *by striking the period at the end of para-*
20 *graph (12) and inserting “; and”; and*

21 (3) *by adding at the end the following:*

22 “(13) *safety and security management.*”.

23 (b) *LIMITATIONS.*—Section 5327(c) is amended to read
24 *as follows:*

25 “(c) *LIMITATIONS.*—

1 “(1) *LIMITATIONS ON USE OF AVAILABLE*
2 *AMOUNTS.—The Secretary may use not more than .5*
3 *percent of amounts made available for a fiscal year*
4 *to carry out section 5311, not more than .75 percent*
5 *of amounts made available for a fiscal year to carry*
6 *out section 5307, and not more than 1 percent of*
7 *amounts made available for a fiscal year to carry out*
8 *section 5309 to make contracts for the following ac-*
9 *tivities:*

10 “(A) *To oversee the construction of a major*
11 *project.*

12 “(B) *To review and audit the safety and se-*
13 *curity, procurement, management, and financial*
14 *compliance of a recipient or subrecipient of*
15 *funds under sections 5307, 5309, and 5311.*

16 “(C) *To provide technical assistance to cor-*
17 *rect deficiencies identified in compliance reviews*
18 *and audits carried out under this section.*

19 “(2) *LIMITATIONS ON APPLICABILITY.—Sub-*
20 *sections (a), (b), and (e) do not apply to contracts*
21 *under this section for activities described in para-*
22 *graphs (1)(B) and (1)(C).*

23 “(3) *GOVERNMENT’S SHARE OF COSTS.—The*
24 *Government shall pay the entire cost of carrying out*
25 *a contract under this subsection.”.*

1 **SEC. 3027. INVESTIGATIONS OF SAFETY AND HAZARDS.**

2 (a) *IN GENERAL.*—Section 5329 is amended to read
3 as follows:

4 **“§ 5329. Investigation of safety and hazards**

5 “(a) *IN GENERAL.*—The Secretary may investigate
6 safety and security risks associated with a condition in
7 equipment, a facility, or an operation financed under this
8 chapter that the Secretary believes causes a serious hazard
9 of death or injury to establish the nature and extent of the
10 condition and how to eliminate, mitigate, or correct it.

11 “(b) *PLANS FOR ELIMINATING, MITIGATING, OR COR-*
12 *RECTING HAZARDS.*—If the Secretary establishes that a
13 condition causes a hazard, the Secretary shall require the
14 local governmental authority receiving amounts under this
15 chapter to submit a plan for eliminating, mitigating, or
16 correcting it.

17 “(c) *WITHHOLDING FINANCIAL ASSISTANCE.*—Finan-
18 cial assistance under this chapter, in an amount to be deter-
19 mined by the Secretary, may be withheld until a plan is
20 approved and carried out.”.

21 (b) *CONFORMING AMENDMENT.*—The analysis for
22 chapter 53 is amended by striking the item relating to sec-
23 tion 5329 and inserting the following:

“5329. *Investigation of safety and hazards.*”.

24 **SEC. 3028. STATE SAFETY OVERSIGHT.**

25 (a) *IN GENERAL.*—Section 5330 is amended—

1 (1) *by striking the section heading and all that*
 2 *follows through subsection (a) and inserting the fol-*
 3 *lowing:*

4 **“§ 5330. State safety oversight**

5 “(a) *APPLICATION.—This section applies only to—*

6 “*(1) States that have rail fixed guideway public*
 7 *transportation systems not subject to regulation by*
 8 *the Federal Railroad Administration; and*

9 “*(2) States that are designing rail fixed guide-*
 10 *way public transportation systems that will not be*
 11 *subject to regulation by the Federal Railroad Admin-*
 12 *istration.”;*

13 (2) *in subsection (d) by inserting “shall ensure*
 14 *uniform safety standards and enforcement and” after*
 15 “*affected States*”; *and*

16 (3) *by striking subsection (f).*

17 (b) *CONFORMING AMENDMENT.—The analysis for*
 18 *chapter 53 is amended by striking the item relating to sec-*
 19 *tion 5330 and inserting the following:*

 “*5330. State safety oversight.*”.

20 **SEC. 3029. CONTROLLED SUBSTANCES AND ALCOHOL MIS-**
 21 **USE TESTING.**

22 (a) *DEFINITIONS.—Section 5331(a)(3) is amended by*
 23 *striking the period at the end and inserting the following:*
 24 “*or section 2303a, 7101(i), or 7302(e) of title 46. The Sec-*
 25 *retary may also decide that a form of public transportation*

1 *is covered adequately, for employee alcohol and controlled*
2 *substances testing purposes, under the alcohol and con-*
3 *trolled substance statutes or regulations of an agency within*
4 *the Department of Transportation or the Coast Guard.”.*

5 (b) *TECHNICAL CORRECTIONS.*—Subsections (b)(1)
6 and (g) of section 5331 are each amended by striking “or
7 section 103(e)(4) of title 23”.

8 (c) *REGULATIONS.*—Section 5331(f) is amended by
9 striking paragraph (3).

10 **SEC. 3030. EMPLOYEE PROTECTIVE ARRANGEMENTS.**

11 Section 5333(b)(1) is amended by striking “5318(d),
12 5323(a)(1), (b), (d), and (e), 5328, 5337, and 5338(b)” each
13 place it appears and inserting “5316, 5317, 5318, 5320,
14 5323(a)(1), 5323(b), 5323(d), 5328, 5337, 5338(b), 5338(g),
15 and 5338(h)”.

16 **SEC. 3031. ADMINISTRATIVE PROCEDURES.**

17 Section 5334 is amended—

18 (1) in subsection (a)—

19 (A) by striking “and” at the end of para-
20 graph (9);

21 (B) by striking the period at the end of
22 paragraph (10) and inserting “; and”; and

23 (C) by adding at the end the following:

24 “(11) issue regulations as necessary to carry out
25 the purposes of this chapter.”;

1 (2) *by striking subsection (i);*

2 (3) *by redesignating subsections (b) through (h)*
3 *as subsections (c) through (i), respectively;*

4 (4) *by inserting after subsection (a) the fol-*
5 *lowing:*

6 “(b) *PROHIBITIONS AGAINST REGULATING OPER-*
7 *ATIONS AND CHARGES.—*

8 “(1) *IN GENERAL.—Except for purposes of na-*
9 *tional defense or in the event of a national or regional*
10 *emergency, the Secretary may not regulate the oper-*
11 *ation, routes, or schedules of a public transportation*
12 *system for which a grant is made under this chapter,*
13 *nor may the Secretary regulate the rates, fares, tolls,*
14 *rentals, or other charges prescribed by any provider*
15 *of public transportation.*

16 “(2) *LIMITATION ON STATUTORY CONSTRUC-*
17 *TION.—Nothing in this subsection shall be construed*
18 *to prevent the Secretary from requiring a recipient of*
19 *funds under this chapter to comply with the terms*
20 *and conditions of its Federal assistance agreement.”;*

21 (5) *in subsection (c)(4) (as redesignated by para-*
22 *graph (3) of this section)—*

23 (A) *by striking “subsections (h) and (i)”*
24 *and inserting “subsection (i)”;* and

1 (B) by striking “5323(c), 5323(e), 5324(c),”;

2 and

3 (6) by adding at the end of subsection (c) (as re-
4 designated by paragraph (3) of this section) the fol-
5 lowing:

6 “(5) *NONREGULATORY SUBSTANTIVE POLICY*
7 *STATEMENTS.—The Secretary shall provide notice*
8 *and an opportunity for public comment at least 60*
9 *days before issuing any nonregulatory substantive*
10 *policy statements (regardless of the form of issuance),*
11 *including guidance, policy statements, and regulatory*
12 *interpretations.”.*

13 **SEC. 3032. NATIONAL TRANSIT DATABASE.**

14 (a) *IN GENERAL.—Section 5335 is amended—*

15 (1) *by striking the section heading and inserting*
16 *the following:*

17 **“§ 5335. National transit database”;**

18 (2) *by striking subsection (b); and*

19 (3) *in subsection (a)—*

20 (A) *by striking “(1) To help” and inserting*
21 *“To help”; and*

22 (B) *by striking “(2) The Secretary” and in-*
23 *serting “(b) REPORTING AND UNIFORM SYS-*
24 *TEMS.—The Secretary”.*

1 (b) *CONFORMING AMENDMENT.*—*The analysis for*
 2 *chapter 53 is amended by striking the item relating to sec-*
 3 *tion 5335 and inserting the following:*

“5335. *National transit database.*”.

4 **SEC. 3033. APPORTIONMENTS BASED ON FIXED GUIDEWAY**
 5 **FACTORS.**

6 (a) *DISTRIBUTION.*—*Section 5337 is amended—*

7 (1) *by striking the section designation and all*
 8 *that follows before paragraph (1) of subsection (a)*
 9 *and inserting the following:*

10 **“§ 5337. Apportionment based on fixed guideway fac-**
 11 **tors**

12 “(a) *DISTRIBUTION.*—*The Secretary shall apportion*
 13 *amounts made available for fixed guideway modernization*
 14 *under sections 5338(b) and 5338(g) as follows:”;*

15 (2) *in subsection (a) by striking “(e)(1)” each*
 16 *place it appears and inserting “(e)”;* and

17 (3) *in subsection (a) by striking “(e)(2)” each*
 18 *place it appears and inserting “(e)”.*

19 (b) *ROUTE SEGMENTS TO BE INCLUDED IN APPOR-*
 20 *TIONMENT FORMULAS.*—*Section 5337(e) is amended by*
 21 *striking paragraph (1) and all that follows through “(2)*
 22 *Other Standards.—”.*

1 (c) *CONFORMING AMENDMENT.*—*The item relating to*
 2 *section 5337 in the table of sections for chapter 53 is amend-*
 3 *ed to read as follows:*

“5337. Apportionment based on fixed guideway factors.”.

4 **SEC. 3034. AUTHORIZATIONS.**

5 *Section 5338 is amended to read as follows:*

6 **“§ 5338. Authorizations**

7 “(a) *FORMULA GRANTS.*—

8 “(1) *FISCAL YEAR 2004.*—

9 “(A) *FROM TRUST FUND.*—*There shall be*
 10 *available from the Mass Transit Account of the*
 11 *Highway Trust Fund to carry out sections 5307,*
 12 *5308, 5310, 5311, 5316, 5317, and 5318 of this*
 13 *chapter, 1118(b) of the Transportation Equity*
 14 *Act: A Legacy for Users (relating to the non-*
 15 *motorized transportation pilot program), and*
 16 *section 3038 of the Transportation Equity Act*
 17 *for the 21st Century (49 U.S.C. 5310 note; 112*
 18 *Stat. 392–393) \$3,132,304,000 for fiscal year*
 19 *2004.*

20 “(B) *FROM GENERAL FUND.*—*In addition*
 21 *to amounts made available under subparagraph*
 22 *(A), there are authorized to be appropriated to*
 23 *carry out sections 5307, 5308, 5310, 5311, 5316,*
 24 *and 5318 of this chapter, 1118(b) of the Trans-*
 25 *portation Equity Act: A Legacy for Users (relat-*

1 *ing to the nonmotorized transportation pilot pro-*
2 *gram), and section 3038 of the Transportation*
3 *Equity Act for the 21st Century (49 U.S.C. 5310*
4 *note; 112 Stat. 392–393) \$783,076,000 for fiscal*
5 *year 2004.*

6 “(C) *ALLOCATION OF FUNDS.—Of the aggre-*
7 *gate of amounts made available by and appro-*
8 *priated under this paragraph for a fiscal year—*

9 “(i) *\$4,849,950 shall be available to the*
10 *Alaska Railroad for improvements to its*
11 *passenger operations under section 5307;*

12 “(ii) *\$125,000,000 shall be available to*
13 *provide job access and reverse commute for-*
14 *mula grants under section 5316;*

15 “(iii) *\$50,000,000 shall be available to*
16 *provide clean fuels formula grants under*
17 *section 5308;*

18 “(iv) *\$8,000,000 shall be available to*
19 *provide over-the-road bus accessibility*
20 *grants under section 3038 of the Transpor-*
21 *tation Equity Act for the 21st Century (49*
22 *U.S.C. 5310 note);*

23 “(v) *\$3,100,000 shall be available to*
24 *carry out bus testing under section 5318;*

1 “(vi) \$93,110,751 shall be available to
2 provide transportation services to elderly
3 individuals and individuals with disabili-
4 ties under section 5310;

5 “(vii) \$297,954,404 shall be available
6 to provide financial assistance for other
7 than urbanized areas under section 5311;
8 and

9 “(viii) \$3,333,364,895 shall be avail-
10 able to provide financial assistance for ur-
11 banized areas under section 5307, subject to
12 section 3041(h) of the Federal Public Trans-
13 portation Act of 2005.

14 “(2) FISCAL YEARS 2005 THROUGH 2009.—

15 “(A) FROM TRUST FUND.—There shall be
16 available from the Mass Transit Account of the
17 Highway Trust Fund to carry out sections 5307,
18 5308, 5310, 5311, 5316, 5317, 5318, and 5320 of
19 this chapter, section 3038 of the Transportation
20 Equity Act for the 21st Century (49 U.S.C. 5310
21 note; 112 Stat. 392–393), and section 1118(b) of
22 the Transportation Equity Act: A Legacy for
23 Users (relating to the nonmotorized transpor-
24 tation pilot program)—

1 “(i) \$4,133,500,000 for fiscal year
2 2005;

3 “(ii) \$4,592,000,000 for fiscal year
4 2006;

5 “(iii) \$4,898,000,000 for fiscal year
6 2007;

7 “(iv) \$5,223,000,000 for fiscal year
8 2008; and

9 “(v) \$5,570,000,000 for fiscal year
10 2009.

11 “(B) ALLOCATION OF FUNDS FOR BUS
12 TESTING AND OVER-THE-ROAD BUS ACCESSI-
13 BILITY.—Of the aggregate of amounts made
14 available by this paragraph for a fiscal year—

15 “(i) \$3,100,000 shall be available to
16 carry out section 5318; and

17 “(ii) \$8,000,000 shall be available to
18 carry out section 3038 of the Transpor-
19 tation Equity Act for the 21st Century (49
20 U.S.C. 5310 note).

21 “(C) ALLOCATION OF FUNDS FOR CLEAN
22 FUELS FORMULA GRANT PROGRAM.—Of the ag-
23 gregate of amounts made available by this para-
24 graph, \$75,000,000 for fiscal year 2005 and
25 \$100,000,000 for each of fiscal years 2006, 2007,

1 2008, and 2009 shall be available to carry out
2 section 5308.

3 “(D) *ALLOCATION OF FUNDS FOR JOB AC-*
4 *CESS AND REVERSE COMMUTE FORMULA GRANT*
5 *PROGRAM.—Of the aggregate of amounts made*
6 *available by this paragraph, \$150,000,000 for*
7 *fiscal year 2005, \$175,000,000 for fiscal year*
8 *2006, \$200,000,000 for fiscal year 2007,*
9 *\$200,000,000 for fiscal year 2008, and*
10 *\$200,000,000 for fiscal year 2009 shall be avail-*
11 *able to carry out section 5316.*

12 “(E) *ALLOCATION OF FUNDS FOR NEW*
13 *FREEDOM PROGRAM.—Of the aggregate of*
14 *amounts made available by this paragraph,*
15 *\$95,000,000 for fiscal year 2005, \$100,000,000*
16 *for fiscal year 2006, \$105,000,000 for fiscal year*
17 *2007, \$115,000,000 for fiscal year 2008, and*
18 *\$125,000,000 for fiscal year 2009 shall be avail-*
19 *able to carry out section 5317.*

20 “(F) *ALLOCATION OF FUNDS FOR TRANSIT*
21 *IN THE PARKS PILOT PROGRAM.—Of the aggre-*
22 *gate of amounts made available by this para-*
23 *graph, \$8,000,000 for fiscal year 2005,*
24 *\$16,000,000 for fiscal year 2006, \$16,000,000 for*
25 *fiscal year 2007, \$16,000,000 for fiscal year*

1 2008, and \$16,000,000 for fiscal year 2009 shall
2 be available to carry out section 5320.

3 “(G) *ALLOCATION OF FUNDS FOR NON-*
4 *MOTORIZED TRANSPORTATION PILOT PRO-*
5 *GRAM.—Of the aggregate of amounts made avail-*
6 *able by this paragraph, \$4,000,000 for fiscal*
7 *year 2005, \$4,000,000 for fiscal year 2006,*
8 *\$4,000,000 for fiscal year 2007, \$8,000,000 for*
9 *fiscal year 2008, and \$8,000,000 for fiscal year*
10 *2009 shall be available to carry out section*
11 *1118(b) of the Transportation Equity Act: A*
12 *Legacy for Users (relating to the nonmotorized*
13 *transportation pilot program).*

14 “(H) *ALLOCATION OF FUNDS FOR THE*
15 *ALASKA RAILROAD.—Of the aggregate of amounts*
16 *made available by this paragraph, \$10,000,000*
17 *for fiscal year 2005, \$11,000,000 for fiscal year*
18 *2006, \$12,000,000 for fiscal year 2007,*
19 *\$13,000,000 for fiscal year 2008, and*
20 *\$14,000,000 for fiscal year 2009 shall be avail-*
21 *able to the Alaska Railroad for improvements to*
22 *its passenger operations under section 5307.*

23 “(I) *REMAINDER.—Of the remainder of the*
24 *aggregate amounts made available by this para-*
25 *graph for a fiscal year after the allocations*

1 *under subparagraphs (B) through (H) for such*
2 *fiscal year—*

3 “(i) 2.5 percent shall be available to
4 *provide transportation services to elderly*
5 *individuals and individuals with disabili-*
6 *ties under section 5310;*

7 “(ii) 8.0 percent shall be available to
8 *provide financial assistance for other than*
9 *urbanized areas under section 5311; and*

10 “(iii) 89.5 percent shall be available to
11 *provide financial assistance for urbanized*
12 *areas under section 5307, subject to section*
13 *3041(h) of the Federal Public Transpor-*
14 *tation Act of 2005.*

15 “(b) *CAPITAL PROGRAM GRANTS IN FISCAL YEAR*
16 *2004.—*

17 “(1) *FROM TRUST FUND.—There shall be avail-*
18 *able from the Mass Transit Account of the Highway*
19 *Trust Fund to carry out section 5309, \$2,499,504,000*
20 *for fiscal year 2004.*

21 “(2) *FROM GENERAL FUND.—In addition to*
22 *amounts made available by paragraph (1), there is*
23 *authorized to be appropriated to carry out section*
24 *5309, \$624,876,200 for fiscal year 2004.*

25 “(c) *PLANNING.—*

1 “(1) *FISCAL YEAR 2004.*—

2 “(A) *FROM TRUST FUND.*—*There shall be*
3 *available from the Mass Transit Account of the*
4 *Highway Trust Fund to carry out sections 5303,*
5 *5304, and 5305, \$72,660,000 for fiscal year*
6 *2004.*

7 “(B) *FROM GENERAL FUND.*—*In addition*
8 *to amounts made available by subparagraph (A),*
9 *there is authorized to be appropriated to carry*
10 *out sections 5303, 5304, and 5305, \$18,165,000*
11 *for fiscal year 2004.*

12 “(2) *FISCAL YEARS 2005 THROUGH 2009.*—

13 “(A) *FROM THE TRUST FUND.*—*There shall*
14 *be available from the Mass Transit Account of*
15 *the Highway Trust Fund to carry out sections*
16 *5303, 5304, and 5305—*

17 “(i) *\$96,875,000 for fiscal year 2005;*

18 “(ii) *\$103,325,000 for fiscal year 2006;*

19 “(iii) *\$110,200,000 for fiscal year*
20 *2007;*

21 “(iv) *\$117,537,500 for fiscal year 2008;*

22 *and*

23 “(v) *\$125,362,500 for fiscal year 2009.*

1 “(B) *ALLOCATION OF FUNDS.—Of the funds*
2 *made available by this paragraph for a fiscal*
3 *year—*

4 “(i) *82.72 percent shall be available for*
5 *metropolitan planning under sections 5303,*
6 *5304, and 5305 (other than 5305(e)); and*

7 “(ii) *17.28 percent shall be available*
8 *for State planning under section 5305(e).*

9 “(d) *RESEARCH.—*

10 “(1) *FISCAL YEAR 2004.—*

11 “(A) *FROM TRUST FUND.—There shall be*
12 *available from the Mass Transit Account of the*
13 *Highway Trust Fund to carry out sections*
14 *5311(b), 5312, 5313, 5314, 5315, 5322, and*
15 *5335, \$41,888,000 for fiscal year 2004.*

16 “(B) *FROM GENERAL FUND.—In addition*
17 *to amounts made available by subparagraph (A),*
18 *there is authorized to be appropriated to carry*
19 *out sections 5311(b), 5312, 5313, 5314, 5315,*
20 *5322, and 5335, \$10,472,000 for fiscal year*
21 *2004.*

22 “(C) *ALLOCATION OF FUNDS.—Of the funds*
23 *made available by or appropriated pursuant to*
24 *this paragraph for fiscal year 2004—*

1 “(i) not less than \$4,500,000 shall be
2 available to carry out programs under the
3 National Transit Institute under section
4 5315;

5 “(ii) not less than \$3,500,000 shall be
6 available to carry out section 5335;

7 “(iii) not less than \$3,500,000 shall be
8 available to carry out section 5314(a)(2);
9 and

10 “(iv) not less than \$8,860,000 shall be
11 available to carry out section 5313(a).

12 “(2) FISCAL YEARS 2005 THROUGH 2009.—

13 “(A) FROM THE GENERAL FUND.—There is
14 authorized to be appropriated to carry out sec-
15 tions 5312, 5313, 5314, 5315, 5322, and 5335—

16 “(i) \$54,500,000 for fiscal year 2005;

17 “(ii) \$57,000,000 for fiscal year 2006;

18 “(iii) \$59,500,000 for fiscal year 2007;

19 “(iv) \$62,000,000 for fiscal year 2008;

20 and

21 “(v) \$64,500,000 for fiscal year 2009.

22 “(B) ALLOCATION OF FUNDS.—Of the funds
23 appropriated pursuant to this paragraph for a
24 fiscal year—

1 “(i) not less than \$4,500,000 shall be
2 available to carry out programs under the
3 National Transit Institute under section
4 5315;

5 “(ii) not less than \$3,500,000 shall be
6 available to carry out section 5335; and

7 “(iii) not less than \$3,500,000 shall be
8 available to carry out section 5314(a)(2).

9 “(C) *TRANSIT COOPERATIVE RESEARCH*
10 *PROGRAM.—Of the funds appropriated pursuant*
11 *to this paragraph, \$9,000,000 for fiscal year*
12 *2005, \$9,500,000 for fiscal year 2006,*
13 *\$10,000,000 for fiscal year 2007, \$10,500,000 for*
14 *fiscal year 2008, and \$11,000,000 for fiscal year*
15 *2009 shall be available to carry out section*
16 *5313(a).*

17 “(D) *REMAINDER.—The remainder of the*
18 *funds appropriated pursuant to this paragraph*
19 *for a fiscal year after the allocations under sub-*
20 *paragraphs (A) and (B) for such fiscal year*
21 *shall be available to carry out national research*
22 *and technology programs under sections 5312,*
23 *5314, and 5322.*

24 “(e) *UNIVERSITY TRANSPORTATION RESEARCH.—*

25 “(1) *FISCAL YEAR 2004.—*

1 “(A) *FROM TRUST FUND.*—*There shall be*
2 *available from the Mass Transit Account of the*
3 *Highway Trust Fund to carry out sections 5505*
4 *and 5506, \$6,400,000 for fiscal year 2004.*

5 “(B) *FROM GENERAL FUND.*—*In addition*
6 *to amounts made available by subparagraph (A),*
7 *there is authorized to be appropriated to carry*
8 *out sections 5505 and 5506, \$1,600,000 for fiscal*
9 *year 2004.*

10 “(2) *FISCAL YEARS 2005 THROUGH 2009.*—*Subject*
11 *to paragraph (3), there is authorized to be appro-*
12 *priated to carry out sections 5505 and 5506,*
13 *\$8,000,000 for each of fiscal years 2005 through 2009.*

14 “(3) *FUNDING OF UNIVERSITY TRANSPORTATION*
15 *CENTERS.*—

16 “(A) *IN GENERAL.*—*Of the amounts made*
17 *available by and appropriated under paragraphs*
18 *(1) and (2) \$2,000,000 for each of fiscal years*
19 *2004, 2005, and 2006 shall be available for the*
20 *institution identified in section 5505(j)(3)(E), as*
21 *so in effect.*

22 “(B) *USE OF FUNDS.*—*Funds made avail-*
23 *able for the institution identified in subpara-*
24 *graph (A)(iii) shall be used to make grants*
25 *under 5506(f)(5) for that institution*

1 “(C) *SPECIAL RULE.*—*Nothing in this sub-*
2 *section shall be construed to limit the transpor-*
3 *tation research conducted by the centers funded*
4 *by this section.*

5 “(f) *ADMINISTRATION.*—

6 “(1) *FISCAL YEAR 2004.*—

7 “(A) *FROM TRUST FUND.*—*There shall be*
8 *available from the Mass Transit Account of the*
9 *Highway Trust Fund to carry out section 5334,*
10 *\$60,044,000 for fiscal year 2004.*

11 “(B) *FROM GENERAL FUND.*—*In addition*
12 *to amounts made available under subparagraph*
13 *(A), there are authorized to be appropriated to*
14 *carry out section 5334, \$15,011,000 for fiscal*
15 *year 2004.*

16 “(2) *FISCAL YEARS 2005 THROUGH 2009.*—*There*
17 *are authorized to be appropriated to carry out section*
18 *5334—*

19 “(A) *\$78,000,000 for fiscal year 2005;*

20 “(B) *\$80,000,000 for fiscal year 2006;*

21 “(C) *\$82,000,000 for fiscal year 2007;*

22 “(D) *\$84,000,000 for fiscal year 2008; and*

23 “(E) *\$86,000,000 for fiscal year 2009.*

24 “(g) *TRUST FUND CAPITAL PROGRAM GRANTS.*—

25 *There shall be available from the Mass Transit Account of*

1 *the Highway Trust Fund to carry out sections*
2 *5309(m)(2)(B)(i) and 5309(m)(2)(B)(iii)—*

3 “(1) \$1,884,255,000 for fiscal year 2005;

4 “(2) \$2,080,005,000 for fiscal year 2006;

5 “(3) \$2,210,580,000 for fiscal year 2007;

6 “(4) \$2,366,677,500 for fiscal year 2008; and

7 “(5) \$2,518,882,500 for fiscal year 2009.

8 “(h) *GENERAL FUND CAPITAL PROGRAM GRANTS.—*

9 *There are authorized to be appropriated to carry out sec-*
10 *tions 5309(m)(2)(A) and 5309(m)(2)(B)(ii)—*

11 “(1) \$1,391,170,000 for fiscal year 2005;

12 “(2) \$1,561,670,000 for fiscal year 2006;

13 “(3) \$1,673,720,000 for fiscal year 2007;

14 “(4) \$1,777,785,000 for fiscal year 2008; and

15 “(5) \$1,904,255,000 for fiscal year 2009.

16 “(i) *GRANTS AS CONTRACTUAL OBLIGATIONS.—*

17 “(1) *GRANTS FINANCED FROM HIGHWAY TRUST*
18 *FUND.—A grant or contract approved by the Sec-*
19 *retary, that is financed with amounts made available*
20 *under subsection (a)(1)(A), (a)(2), (b)(1), (c)(2),*
21 *(d)(1)(A), (e)(1)(A), (f)(1)(A), or (g) is a contractual*
22 *obligation of the Government to pay the Government’s*
23 *share of the cost of the project.*

24 “(2) *GRANTS FINANCED FROM GENERAL FUND.—*

25 *A grant or contract, approved by the Secretary, that*

1 *is financed with amounts made available under sub-*
 2 *section (a)(1)(B), (b)(2), (c)(1)(B), (d)(1)(B), (d)(2),*
 3 *(e)(1)(B), (e)(2), (f)(1)(B), (f)(2), or (h) is a contrac-*
 4 *tual obligation of the Government to pay the Govern-*
 5 *ment's share of the cost of the project only to the ex-*
 6 *tent that amounts are provided in advance in an ap-*
 7 *propriations Act.*

8 “(j) *AVAILABILITY OF AMOUNTS.—Amounts made*
 9 *available by or appropriated under subsections (a) through*
 10 *(h) shall remain available until expended.”.*

11 **SEC. 3035. OVER-THE-ROAD BUS ACCESSIBILITY PROGRAM.**

12 (a) *IN GENERAL.—Section 3038 of the Transportation*
 13 *Equity Act for the 21st Century (49 U.S.C. 5310 note; 112*
 14 *Stat. 392) is amended—*

15 (1) *by striking the section heading and inserting*
 16 *the following:*

17 **“SEC. 3038. OVER-THE-ROAD BUS ACCESSIBILITY PRO-**
 18 **GRAM.”;**

19 (2) *by striking subsection (e) and inserting the*
 20 *following:*

21 “(e) *FEDERAL SHARE OF COSTS.—The Federal share*
 22 *of costs under this section shall be provided from funds*
 23 *made available to carry out this section. The Federal share*
 24 *of the costs for a project shall not exceed 80 percent of the*
 25 *project cost.”; and*

1 (3) *by striking subsection (g) and inserting the*
2 *following:*

3 “(g) *FUNDING.—*

4 “(1) *INTERCITY, FIXED ROUTE OVER-THE-ROAD*
5 *BUS SERVICE.—Of the amounts made available to*
6 *carry out this section in each fiscal year, 75 percent*
7 *shall be available for operators of over-the-road buses*
8 *used substantially or exclusively in intercity, fixed-*
9 *route over-the-road bus service to finance the incre-*
10 *mental capital and training costs of the Department*
11 *of Transportation’s final rule regarding accessibility*
12 *of over-the-road buses. Such amounts shall remain*
13 *available until expended.*

14 “(2) *OTHER OVER-THE-ROAD BUS SERVICE.—Of*
15 *the amounts made available to carry out this section*
16 *in each fiscal year, 25 percent shall be available for*
17 *operators of other over-the-road bus service to finance*
18 *the incremental capital and training costs of the De-*
19 *partment of Transportation’s final rule regarding ac-*
20 *cessibility of over-the-road buses. Such amounts shall*
21 *remain available until expended.”.*

22 (b) *CONFORMING AMENDMENTS.—The table of contents*
23 *contained in section 1(b) of the Transportation Equity Act*
24 *for the 21st Century (112 Stat. 107) is amended by striking*

1 *the item relating to section 3038 and inserting the fol-*
 2 *lowing:*

“3038. Over-the-road bus accessibility program.”.

3 **SEC. 3036. UPDATED TERMINOLOGY.**

4 (a) *AMENDMENTS TO CHAPTER 53.—Chapter 53 is*
 5 *amended—*

6 (1) *in the chapter heading by striking “MASS”*
 7 *and inserting “PUBLIC”;*

8 (2) *in section 5310(h) by striking “Mass” and*
 9 *inserting “Public”;*

10 (3) *in the subsection heading for section 5331(b)*
 11 *by striking “MASS” and inserting “PUBLIC”; and*

12 (4) *by striking “mass” each place it appears in*
 13 *such chapter before “transportation” and inserting*
 14 *“public”, except in sections 5301(f), 5302(a)(7), 5315,*
 15 *5323(a)(1), and 5323(a)(1)(B).*

16 (b) *TABLE OF CHAPTERS.—The table of chapters for*
 17 *subtitle III is amended in the item relating to chapter 53*
 18 *by striking “MASS” and inserting “PUBLIC”.*

19 **SEC. 3037. PROJECT AUTHORIZATIONS FOR NEW FIXED**
 20 **GUIDEWAY CAPITAL PROJECTS.**

21 (a) *EXISTING FULL FUNDING GRANT AGREEMENTS.—*
 22 *The following projects are authorized for final design and*
 23 *construction for existing full funding grant agreements in*
 24 *not less than the amount specified for each fiscal year:*

1 (1) *Baltimore—Central LRT Double Tracking*
2 \$39,367,154 for fiscal year 2004, \$28,777,920 for fis-
3 cal year 2005, and \$12,655,664 for fiscal year 2006.

4 (2) *Chicago—Chicago Transit Authority Douglas*
5 *Branch Reconstruction* \$83,655,202 for fiscal year
6 2004, \$84,320,000 for fiscal year 2005, and
7 \$45,825,190 for fiscal year 2006.

8 (3) *Chicago—Chicago Transit Authority*
9 *Ravenswood Expansion Project* \$9,841,789 for fiscal
10 year 2004, \$39,680,000 for fiscal year 2005,
11 \$40,000,000 for fiscal year 2006, \$40,000,000 for fis-
12 cal year 2007, \$40,000,000 for fiscal year 2008, and
13 \$65,152,615 for fiscal year 2009.

14 (4) *Cleveland—Euclid Corridor Transportation*
15 *Project* \$10,825,967 for fiscal year 2004, \$24,800,000
16 for fiscal year 2005, and \$24,974,513 for fiscal year
17 2006.

18 (5) *Dallas—North Central LRT Extension*
19 \$29,684,097 for fiscal year 2004.

20 (6) *Denver Southeast Corridor LRT* \$78,734,308
21 for fiscal year 2004, \$79,360,000 for fiscal year 2005,
22 \$80,000,000 for fiscal year 2006, \$80,000,000 for fis-
23 cal year 2007, and \$77,192,758 for fiscal year 2008.

1 (7) *Fort Lauderdale—Tri-Rail Commuter Rail*
2 *Upgrade* \$18,118,733 for fiscal year 2004 and
3 \$11,318,230 for fiscal year 2005.

4 (8) *Los Angeles—Metro Gold Line Eastside Ex-*
5 *ension* \$59,520,000 for fiscal year 2005, \$80,000,000
6 for fiscal year 2006, \$100,000,000 for fiscal year
7 2007, \$80,000,000 for fiscal year 2008, and
8 \$80,000,000 for fiscal year 2009.

9 (9) *Memphis—Medical Center Extension*
10 \$9,101,281 for fiscal year 2004.

11 (10) *Metra North Central Corridor Commuter*
12 *Rail* \$19,177,300 for fiscal year 2004, \$20,000,000 for
13 fiscal year 2005, and \$18,476,237 for fiscal year
14 2006.

15 (11) *Metra South West Corridor Commuter Rail*
16 \$15,000,000 for fiscal year 2004, \$15,500,000 for fis-
17 cal year 2005, and \$11,781,395 for fiscal year 2006.

18 (12) *Metra Union Pacific West Line Extension*
19 \$17,000,000 for fiscal year 2004, \$12,000,000 for fis-
20 cal year 2005, and \$14,285,749 for fiscal year 2006.

21 (13) *Minneapolis—Hiawatha Corridor LRT*
22 \$73,793,730 for fiscal year 2004 and \$33,428,865 for
23 fiscal year 2005.

24 (14) *New Jersey Urban Core—Hudson-Bergen*
25 *LRT MOS-2* \$98,417,885 for fiscal year 2004,

1 \$99,200,000 for fiscal year 2005, \$100,000,000 for fis-
2 cal year 2006, \$100,000,000 for fiscal year 2007, and
3 \$53,202,995 for fiscal year 2008.

4 (15) *New Jersey Urban Core—Newark-Elizabeth*
5 *Rail Link MOS–1* \$22,209,000 for fiscal year 2004,
6 \$316,907 for fiscal year 2005, and \$1,025,169 for fis-
7 cal year 2006.

8 (16) *New Orleans MOS–1 Canal Street*
9 \$22,922,877 for fiscal year 2004 and \$16,613,047 for
10 fiscal year 2005.

11 (17) *Phoenix—Central Phoenix/East Valley LRT*
12 \$12,794,325 for fiscal year 2004, \$74,400,000 for fis-
13 cal year 2005, \$90,000,000 for fiscal year 2006,
14 \$90,000,000 for fiscal year 2007, \$90,000,000 for fis-
15 cal year 2008, and \$90,000,000 for fiscal year 2009.

16 (18) *Pittsburgh—Stage II LRT Reconstruction*
17 \$31,733,314 for fiscal year 2004 and \$1,131,666 for
18 fiscal year 2005.

19 (19) *Portland—Interstate MAX LRT Extension*
20 \$76,273,861 for fiscal year 2004, \$23,292,160 fiscal
21 year 2005, and \$18,292,550 for fiscal year 2006.

22 (20) *Salt Lake City—Medical Center*
23 \$30,178,231 for fiscal year 2004 and \$8,765,421 for
24 fiscal year 2005.

1 (21) *San Diego—Mission Valley East LRT Ex-*
2 *ension* \$63,971,625 for fiscal year 2004, \$80,986,880
3 *for fiscal year 2005, and \$8,353,424 for fiscal year*
4 *2006.*

5 (22) *San Diego—Oceanside Escondido Rail Cor-*
6 *ridor* \$47,240,585 for fiscal year 2004, \$54,560,000
7 *fiscal year 2005, and \$12,211,061 for fiscal year*
8 *2006.*

9 (23) *San Francisco—BART Extension to San*
10 *Francisco Airport* \$98,417,890 for fiscal year 2004,
11 *\$99,200,000 fiscal year 2005, and \$82,655,680 for fis-*
12 *cal year 2006.*

13 (24) *San Juan—Tren Urbano* \$19,683,577 for
14 *fiscal year 2004, \$44,263,040 fiscal year 2005, and*
15 *\$10,555,900 for fiscal year 2006.*

16 (25) *Seattle—Central Link Initial Segment LRT*
17 *\$73,813,414 for fiscal year 2004, \$79,360,000 for fis-*
18 *cal year 2005, \$80,000,000 for fiscal year 2006,*
19 *\$80,000,000 for fiscal year 2007, \$70,000,000 for fis-*
20 *cal year 2008, and \$24,028,149 for fiscal year 2009.*

21 (26) *Washington DC/MD—Largo Metrorail Ex-*
22 *ension* \$63,971,625 for fiscal year 2004 and
23 *\$76,156,450 for fiscal year 2005.*

24 (b) *FINAL DESIGN AND CONSTRUCTION.—The fol-*
25 *lowing projects are authorized for final design and con-*

1 *struction for fiscal years 2004 through 2009 under para-*
2 *graphs (1)(B), (2)(A), and (2)(B)(ii) of section 5309(m) of*
3 *title 49, United States Code:*

4 (1) *Baltimore—MARC Commuter Rail Improve-*
5 *ments.*

6 (2) *Boston—Silver Line BRT Phase III.*

7 (3) *Charlotte—South Corridor LRT.*

8 (4) *Dallas Area Rapid Transit—Northwest-*
9 *Southeast LRT Extension.*

10 (5) *Delaware—Wilmington-Newark Commuter*
11 *Rail Improvements.*

12 (6) *Denver—West Corridor LRT.*

13 (7) *El Paso—Rapid Transit (SMART) Starter*
14 *Line.*

15 (8) *Harrisburg—Corridor One Commuter Rail*
16 *(MOS-1).*

17 (9) *Kansas City, Missouri—Southtown BRT.*

18 (10) *Las Vegas—Resort Corridor Downtown Ex-*
19 *tension Project.*

20 (11) *Los Angeles MTA—Exposition LRT.*

21 (12) *Miami-Dade Transit—North Corridor.*

22 (13) *Minneapolis—North Star Corridor.*

23 (14) *Nashville, Tennessee Commuter Rail.*

24 (15) *New Britain-Hartford Busway Project.*

25 (16) *New Orleans—Desire Corridor Streetcar.*

1 (17) *New York—Long Island Railroad East Side*
2 *Access Project.*

3 (18) *New York—Second Avenue Subway.*

4 (19) *Norfolk Light Rail.*

5 (20) *Northern Virginia—Dulles Corridor Exten-*
6 *sion to Wiehle Avenue (Phase 1).*

7 (21) *Orange County, California—Center Line*
8 *LRT.*

9 (22) *Philadelphia—Schuylkill Valley MetroRail.*

10 (23) *Pittsburgh—North Shore Connector.*

11 (24) *Portland, Oregon—South Corridor I-205/*
12 *Portland Mall LRT.*

13 (25) *Providence—South County Commuter Rail.*

14 (26) *Sacramento—South Corridor LRT Exten-*
15 *sion (Phase 2), Meadowview to Consumnes River Col-*
16 *lege.*

17 (27) *Salt Lake City—Weber County to Salt Lake*
18 *City Commuter Rail.*

19 (28) *San Diego—Mid-Coast Extension.*

20 (29) *San Francisco Muni—Third Street LRT-*
21 *Phase I/II.*

22 (30) *Santa Clara Valley Transit Authority—Sil-*
23 *icon Valley Rapid Transit Corridor.*

24 (31) *Tampa Bay—Regional Rail.*

1 (32) *Triangle Transit Authority, North Caro-*
2 *lina—Regional Rail Project.*

3 (33) *Washington County, Oregon—Wilsonville to*
4 *Beaverton Commuter Rail.*

5 (34) *Wasilla-Girdwood, Alaska—Commuter*
6 *Rail.*

7 (c) *ALTERNATIVES ANALYSIS AND PRELIMINARY ENGI-*
8 *NEERING.—The following projects are authorized for alter-*
9 *natives analysis and preliminary engineering for fiscal*
10 *years 2004 through 2009 under paragraphs (1)(B), (2)(A),*
11 *and (2)(B)(ii) of section 5309(m) of title 49, United States*
12 *Code:*

13 (1) *Albuquerque—High Capacity Corridor.*

14 (2) *Ann Arbor/Detroit—Commuter Rail.*

15 (3) *Atlanta—MARTA Memorial Drive Bus*
16 *Rapid Transit.*

17 (4) *Atlanta—GRTA I-75 Corridor, Downtown*
18 *Atlanta—Cherokee County.*

19 (5) *Atlanta—Georgia 400 North Line Corridor*
20 *Project.*

21 (6) *Atlanta—Belt Line C-Loop.*

22 (7) *Atlanta—I-20 South DeKalb-Lindbergh*
23 *Corridor Project.*

24 (8) *Austin—San Antonio I-35 Commuter Rail.*

25 (9) *Austin—Rapid Bus Project.*

- 1 (10) *Austin—Regional Commuter Rail.*
- 2 (11) *Baltimore Light Rail System Extensions.*
- 3 (12) *Bernillo-Santa Fe—New Mexico Commuter*
- 4 *Rail.*
- 5 (13) *Birmingham, Alabama—Transit Corridor.*
- 6 (14) *Boise—Downtown Circulator.*
- 7 (15) *Boston—Lechmere Transit Improvement to*
- 8 *Somerville and Medford.*
- 9 (16) *Boston—North Shore Corridor and Blue*
- 10 *Line Extension.*
- 11 (17) *Boston—North/South Rail Link.*
- 12 (18) *Boston—Urban Ring BRT.*
- 13 (19) *Broward County, Florida—Bus Rapid*
- 14 *Transit.*
- 15 (20) *Central Florida Commuter Rail System.*
- 16 (21) *Central Phoenix—East Valley Corridor*
- 17 *LRT Extensions.*
- 18 (22) *Charlotte—North Corridor Project.*
- 19 (23) *Charlotte—Northeast Corridor Project.*
- 20 (24) *Charlotte—South Corridor LRT extension*
- 21 *to Rock Hill, South Carolina.*
- 22 (25) *Charlotte—Southeast-West Corridor Project.*
- 23 (26) *Charlotte—Center City Streetcar Project.*
- 24 (27) *Chicago—Cermack Road BRT.*
- 25 (28) *Chicago CTA—Red Line Extension.*

1 (29) *Chicago CTA—Chicago Transit Hub (Circle*
2 *Line-Ogden Streetcar).*

3 (30) *Chicago CTA—Orange Line Extension*
4 *(Midway Airport to Ford City).*

5 (31) *Chicago CTA—Southeast Service-La Salle*
6 *Street Station to Baltimore Race Track.*

7 (32) *Chicago CTA—Yellow Line Extension*
8 *(Dempster-Old Orchard).*

9 (33) *Chula Vista, California—Bus Rapid Tran-*
10 *sit.*

11 (34) *Clark County, Washington—MAX Exten-*
12 *sion.*

13 (35) *Cleveland-Akron-Canton (Northeast Ohio)*
14 *Commuter Rail.*

15 (36) *Columbia, South Carolina—Light Rail.*

16 (37) *Contra-Costa—BART Extension.*

17 (38) *Corpus Christi—Downtown Rail Trolley.*

18 (39) *Dallas Area Rapid Transit—Dallas Central*
19 *Business District.*

20 (40) *Dallas Area Rapid Transit—Rowlett LRT*
21 *Extension.*

22 (41) *Dallas Area Rapid Transit—Beltline to*
23 *DFW Airport.*

24 (42) *Dayton—Aviation Heritage Corridor*
25 *Streetcar Project.*

1 (43) *Denton County Transportation Authority,*
2 *Texas—Fixed Guideway Project.*

3 (44) *Denver—Gold Line Extension to Arvada.*

4 (45) *Denver—United States Route 36 Transit*
5 *Corridor.*

6 (46) *Denver—North Metro Corridor to Thornton.*

7 (47) *Denver—East Corridor to DIA Airport.*

8 (48) *Denver—I-225 Transit Corridor.*

9 (49) *Denver—Southeast Corridor Extension to*
10 *Lone-Tree/Ridgegate.*

11 (50) *Denver—Southwest Corridor Extension to*
12 *C470/Lucent Boulevard.*

13 (51) *Detroit—Center City Loop.*

14 (52) *District of Columbia—Light Rail Starter*
15 *Line.*

16 (53) *Fitchburg, Massachusetts—Commuter Rail*
17 *Extensions and Improvements.*

18 (54) *Fort Lauderdale—Downtown Rail Link.*

19 (55) *Fort Lauderdale—Transit Project from NW*
20 *215th and 79th Streets.*

21 (56) *Fort Worth—Cottonbelt Commuter Rail to*
22 *DFW.*

23 (57) *Fort Worth—Trinity Railway Express*
24 *Commuter Rail Extensions.*

25 (58) *Galveston—Rail Trolley Extension.*

- 1 (59) *Glendale, California—Downtown Streetcar.*
- 2 (60) *Grand Rapids—Fixed Guideway Corridor*
3 *Project.*
- 4 (61) *Guam—Tumon Bay-Airport Light Rail.*
- 5 (62) *Honolulu—Rapid Transit Project.*
- 6 (63) *Houston Advanced Transit Program Light*
7 *Rail.*
- 8 (64) *Indianapolis—System of Metropolitan Area*
9 *Rapid Transit.*
- 10 (65) *Jacksonville—East-Southwest BRT.*
- 11 (66) *Jacksonville—North-Southeast BRT.*
- 12 (67) *Kansas City, Missouri-Lawrence, Kansas—*
13 *Commuter Rail.*
- 14 (68) *Kenosha-Racine-Milwaukee Metra Com-*
15 *muter Rail Extension (Wisconsin).*
- 16 (69) *Kenosha, Wisconsin Streetcar Expansion*
17 *Project.*
- 18 (70) *King County, Washington—I-405 Corridor*
19 *Bus Rapid Transit.*
- 20 (71) *Lakeville, Minnesota—Cedar Avenue Cor-*
21 *ridor Bus Rapid Transit.*
- 22 (72) *Lane County, Oregon—Bus Rapid Transit,*
23 *Phase 2.*
- 24 (73) *Little Rock—River Rail Streetcar Exten-*
25 *sions.*

1 (74) *Little Rock—West Little Rock Commuter*
2 *Rail.*

3 (75) *Long Island Railroad—Nassau Hub.*

4 (76) *Lorain-Cleveland Commuter Rail.*

5 (77) *LOSSAN Del Mar-San Diego—Rail Cor-*
6 *ridor Improvements.*

7 (78) *Lovejoy to Griffin, Georgia Commuter Rail.*

8 (79) *Madison and Dane Counties, Wisconsin—*
9 *Transport 2020 Commuter Rail.*

10 (80) *Maryland—I-270 Corridor Cities*
11 *Transitway.*

12 (81) *Maryland—Route 5 Corridor to Waldorf.*

13 (82) *Maryland—Silver Spring Capacity Im-*
14 *provements.*

15 (83) *Memphis—Downtown Airport Corridor.*

16 (84) *Memphis Regional Rail Plan.*

17 (85) *Memphis, Medical Center Rail Extension to*
18 *Airport.*

19 (86) *Metra BNSF Naperville to Aurora Corridor*
20 *Extension and Improvements.*

21 (87) *Metra South Suburban Airport Commuter*
22 *Rail Extension.*

23 (88) *Metra SouthEast Service Line Commuter*
24 *Rail.*

1 (89) *Metra STAR Line Inter-Suburban Com-*
2 *muter Rail.*

3 (90) *Metra UP Northwest Line Core Capacity*
4 *Upgrades.*

5 (91) *Metra UP West Line Core Capacity Up-*
6 *grades.*

7 (92) *Metra-West Line Extension, Elgin to Rock-*
8 *ford.*

9 (93) *Miami-Dade Transit—Douglas Road Ex-*
10 *tension.*

11 (94) *Miami-Dade Transit—East-West Corridor.*

12 (95) *Miami-Dade Transit—Kendall Corridor.*

13 (96) *Miami-Dade Transit—Northeast Corridor.*

14 (97) *Miami-Dade Transit—South Dade Cor-*
15 *ridor.*

16 (98) *Miami-Dade Transit—Miami Intermodal*
17 *Center to Earlington Heights.*

18 (99) *Miami—Downtown Streetcar Project.*

19 (100) *Middletown-South Fallsburg, New York,*
20 *Passenger Rail.*

21 (101) *Minneapolis-St. Paul—Central Corridor*
22 *Transit Project.*

23 (102) *Missouri/Kansas—Interstate 35 Transit*
24 *Corridor.*

1 (103) *Monterey County, California—Commuter*
2 *Rail.*

3 (104) *Montgomery and Prince George’s Counties,*
4 *Maryland—Bi-County Transitway (Purple Line).*

5 (105) *Nashua—Commuter Rail.*

6 (106) *Nashua-Manchester—Commuter Rail Ex-*
7 *tension.*

8 (107) *Nashville—Area Transit Corridors.*

9 (108) *Nashville—Southeast Rail Corridor.*

10 (109) *Nashville Tennessee Commuter Rail.*

11 (110) *Nassau and Queens Counties, New York—*
12 *LIRR Main Line Third Track Project.*

13 (111) *New Haven, Connecticut-Hartford, Con-*
14 *necticut-Springfield, Massachusetts Commuter Line.*

15 (112) *New Jersey Trans-Hudson Midtown Cor-*
16 *ridor.*

17 (113) *New Jersey Transit—Northeast Corridor*
18 *Trans-Hudson Commuter Rail Improvements.*

19 (114) *New Jersey Transit—Morris/Essex/Boon-*
20 *ton Trans-Hudson Commuter Rail Improvements.*

21 (115) *New Jersey Transit—New York Susque-*
22 *hanna and Western RR Commuter Extension.*

23 (116) *New Jersey Transit—West Trenton Line*
24 *Commuter Line Service Extension.*

25 (117) *New Jersey Urban Core.*

1 (118) *New Orleans—Airport-CBD Commuter*
2 *Rail.*

3 (119) *New York—Rockaway-Brooklyn Army*
4 *Terminal-Manhattan Ferry Service.*

5 (120) *New York—Staten Island to Manhattan*
6 *High-Speed Ferry Service Extension.*

7 (121) *New York—Stewart Airport Rail Access.*

8 (122) *Newburg, New York—LRT System.*

9 (123) *North Carolina Piedmont Authority Re-*
10 *gional Rail—Greensboro to Winston-Salem.*

11 (124) *Northern Indiana—Commuter District*
12 *Line.*

13 (125) *Northern Indiana—West Lake Commuter*
14 *Rail Link (South Shore Commuter Rail).*

15 (126) *Norfolk—Naval Station Corridor.*

16 (127) *Norfolk-Petersburg—United States Route*
17 *460 Commuter Rail Project.*

18 (128) *Northern Virginia—Crystal City Potomac*
19 *Yards Transit.*

20 (129) *Northern Virginia—Columbia Pike Rapid*
21 *Transit Project.*

22 (130) *Northern Virginia—Dulles Corridor Ex-*
23 *tension, Phase 2.*

24 (131) *Northern Virginia—Richmond Highway*
25 *(Route 1) Rapid Transit Project.*

1 (132) *Orlando-Orange County, Florida—Light*
2 *Rail Project.*

3 (133) *Philadelphia—Navy Yard Transit Exten-*
4 *sion.*

5 (134) *Philadelphia—52nd Street City Connector*
6 *Project.*

7 (135) *Philadelphia—Route 100 Rapid Trolley*
8 *Extension.*

9 (136) *Philadelphia—Broad Street Subway Line*
10 *Extension.*

11 (137) *Pinellas Mobility Initiative Bus Rapid*
12 *Transit.*

13 (138) *Pittsburgh—Allegheny and Armstrong*
14 *Counties, Commuter Rail.*

15 (139) *Pittsburgh—East-West Corridor Rapid*
16 *Transit.*

17 (140) *Pittsburgh—Martin Luther King, Jr.*
18 *Busway Extension.*

19 (141) *Portland Streetcar Extensions.*

20 (142) *Provo-Orem Utah—Bus Rapid Transit.*

21 (143) *Quakertown-Stoney Creek, Pennsylvania—*
22 *Rail Restoration.*

23 (144) *Raritan Valley, New Jersey—Commuter*
24 *Rail.*

1 (145) *Reno, Nevada—Virginia Street Bus Rapid*
2 *Transit Project.*

3 (146) *Riverside County, California—Perris Val-*
4 *ley Line Metrolink Extension.*

5 (147) *Roaring Fork Valley, Colorado—Bus*
6 *Rapid Transit.*

7 (148) *Rock Island, Illinois—Quad Cities Rapid*
8 *Transit System.*

9 (149) *Sacramento—Regional Rail, Auburn to*
10 *Oakland.*

11 (150) *Sacramento—Downtown/Natomas Airport*
12 *Transit Corridor.*

13 (151) *St. Paul-Hastings—Red Rock Corridor*
14 *Commuter Rail Project.*

15 (152) *Salt Lake City—Airport to University*
16 *LRT.*

17 (153) *Salt Lake City—Delta Center to Gateway*
18 *Intermodal Center LRT Extension.*

19 (154) *Salt Lake City—Draper to Sandy LRT*
20 *Extension.*

21 (155) *Salt Lake City—TRAX Capacity Improve-*
22 *ments.*

23 (156) *Salt Lake City—West Valley City LRT*
24 *Extension.*

1 (157) *Salt Lake City—West Jordan LRT exten-*
2 *sion.*

3 (158) *San Antonio—Bus Rapid Transit.*

4 (159) *San Diego—Sprinter Rail Line Extension*
5 *Project.*

6 (160) *San Francisco—BART Extension to*
7 *Livermore.*

8 (161) *San Francisco—BART Extension to Oak-*
9 *land International Airport.*

10 (162) *San Francisco—MUNI Geary Boulevard*
11 *Bus Rapid Transit.*

12 (163) *San Gabriel Valley—Gold Line Foothill*
13 *Extension, Pasadena to Montclair.*

14 (164) *San Joaquin Regional Rail Commission*
15 *Commuter Rail (Altamont Commuter Express).*

16 (165) *San Juan Tren Urbano—Extension from*
17 *Rio Piedras to Carolina.*

18 (166) *San Juan—Tren Urbano Minillas Exten-*
19 *sion.*

20 (167) *Santa Fe—El Dorado Rail Link.*

21 (168) *Seattle—Monorail Project.*

22 (169) *Seattle—Link LRT Extensions.*

23 (170) *Seattle—Sound Transit Commuter Rail.*

24 (171) *Seattle—Sound Transit Regional Express*
25 *Bus.*

1 (172) *Sevierville to Pigeon Ford, Tennessee—Bus*
2 *Rapid Transit.*

3 (173) *Sonoma/Marin (SMART) Commuter Rail,*
4 *California.*

5 (174) *South Carolina High Speed Rail Corridor.*

6 (175) *Southern California High Speed Regional*
7 *Transit.*

8 (176) *St. Louis Metro Link—Scott AFB to Mid*
9 *America Airport.*

10 (177) *St. Louis—East/West Gateway.*

11 (178) *St. Louis—Metro Link Northside Daniel*
12 *Boone Project.*

13 (179) *St. Louis—Metro South Corridor.*

14 (180) *St. Louis—University Downtown Trolley.*

15 (181) *Stamford, Connecticut—Urban*
16 *Transitway Phase II.*

17 (182) *Tampa—Bus Rapid Transit Improve-*
18 *ments.*

19 (183) *Toledo, Ohio—CBD to Zoo.*

20 (184) *Toledo, Ohio—University Corridor.*

21 (185) *Trenton Trolley.*

22 (186) *Tri-Rail Dolphin Extension.*

23 (187) *Tri-Rail Florida East Coast Commuter*
24 *Rail Extension.*

25 (188) *Tri-Rail Jupiter Extension.*

1 (189) *Tri-Rail Scripps Corridor Extension*
2 *Project.*

3 (190) *Tucson—Old Pueblo Trolley Expansion.*

4 (191) *Vancouver—Interstate MAX Extension to*
5 *Clark County, Washington.*

6 (192) *Virginia Beach—Bus Rapid Transit.*

7 (193) *Virginia Railway Express Capacity Im-*
8 *provements.*

9 (194) *Washington State Ferries and Ferry Fa-*
10 *cilities.*

11 (195) *Washington State—Issaquah Valley Trol-*
12 *ley Project.*

13 (196) *Williamsburg-Newport News—Peninsula*
14 *Rail Transit.*

15 (d) *RULES RELATING TO FUNDING.—*

16 (1) *SUBSECTION (a) PROJECTS.—*

17 (A) *IN GENERAL.—The Secretary is author-*
18 *ized to expend funds made available under sec-*
19 *tion 5309(m) of title 49, United States Code, for*
20 *final design and construction of projects author-*
21 *ized by subsection (a) as existing full funding*
22 *grant agreements.*

23 (B) *MINIMUM FUNDING LEVELS.—The Sec-*
24 *retary shall make available not less than the fol-*
25 *lowing amounts for projects authorized by sub-*

1 *section (a): \$1,065,927,770 for fiscal year 2004,*
2 *\$1,071,034,586 for fiscal year 2005,*
3 *\$731,532,532 for fiscal year 2006, \$490,000,000*
4 *for fiscal year 2007, \$410,395,753 for fiscal year*
5 *2008, and \$259,180,764 for fiscal year 2009.*

6 *(2) SUBSECTION (b) PROJECTS.—*

7 *(A) IN GENERAL.—Projects authorized by*
8 *subsection (b) for final design and construction*
9 *are also authorized for alternatives analysis and*
10 *preliminary engineering.*

11 *(B) MINIMUM FUNDING LEVELS.—The Sec-*
12 *retary shall make available not less than the fol-*
13 *lowing amounts for projects authorized by sub-*
14 *section (b): \$30,579,750 for fiscal year 2004,*
15 *\$186,475,050 for fiscal year 2005, \$681,268,504*
16 *for fiscal year 2006, \$1,024,856,176 for fiscal*
17 *year 2007, \$1,199,242,825 for fiscal year 2008,*
18 *and \$1,465,646,690 for fiscal year 2009.*

19 *(C) PRIORITY.—In making funds available*
20 *under subparagraph (B), the Secretary shall first*
21 *make such funds available for any full funding*
22 *grant agreement executed by the Secretary in fis-*
23 *cal year 2005 after the date of enactment of this*
24 *Act and for any full funding grant agreement ex-*
25 *ecuted by the Secretary in the amount indicated*

1 *in fiscal years 2005 through 2009 in the amount*
2 *indicated in the “Schedule of Federal Funds for*
3 *the Project” included in such agreement.*

4 (3) *SUBSECTION (c) PROJECTS.—*

5 (A) *IN GENERAL.—Effective October 1,*
6 *2007, projects authorized by subsection (c) for al-*
7 *ternatives analysis and preliminary engineering*
8 *are also authorized for final design and construc-*
9 *tion.*

10 (B) *MAXIMUM FUNDING LEVELS.—The Sec-*
11 *retary shall make available not more than the*
12 *following amounts for projects authorized by sub-*
13 *section (c): \$95,348,480 for fiscal year 2004,*
14 *\$109,348,664 for fiscal year 2005, \$122,852,264*
15 *for fiscal year 2006, and \$131,726,624 in fiscal*
16 *year 2007.*

17 (C) *MAXIMUM FUNDING LEVELS FOR ALTER-*
18 *NATIVES ANALYSIS AND PRELIMINARY ENGINEER-*
19 *ING.—In fiscal years 2008 and 2009, the Sec-*
20 *retary shall make available not more than the*
21 *following amounts for projects authorized by sub-*
22 *section (b), and projects authorized by subsection*
23 *(c), to conduct alternatives analysis and prelimi-*
24 *nary engineering activities: \$139,968,572 in fis-*

1 *cal year 2008 and \$149,984,996 in fiscal year*
2 *2009.*

3 *(e) NEW JERSEY URBAN CORE PROJECT.—Section*
4 *3031(d) of the Intermodal Surface Transportation Effi-*
5 *ciency Act of 1991 (112 Stat. 380; 105 Stat. 2122) is*
6 *amended—*

7 *(1) by striking “associated components to and at*
8 *the contiguous New Jersey Meadowlands Sports Com-*
9 *plex),” and inserting “to and at the contiguous New*
10 *Jersey Meadowlands Sports Complex), including a*
11 *connection to the Hudson River Waterfront Transpor-*
12 *tation System, the Lackawanna Cutoff,”; and*

13 *(2) by striking “in Lakewood to Freehold to*
14 *Matawan or Jamesburg, New Jersey, as described in*
15 *section 3035(p) of the Intermodal Surface Transpor-*
16 *tation Efficiency Act of 1991 (105 Stat. 2131)” and*
17 *inserting “from Lakehurst to the Northeast Corridor*
18 *or the New Jersey Coast Line”.*

19 *(f) NEW JERSEY TRANS-HUDSON MIDTOWN COR-*
20 *RIDOR.—Project elements of the New Jersey Trans-Hudson*
21 *Midtown Corridor advanced with 100 percent non-Federal*
22 *funds shall be given consideration by the Federal Transit*
23 *Administration when evaluating the local share of the*
24 *project in the new starts rating process, including the pur-*
25 *chase of bilevel rail equipment.*

1 **SEC. 3038. PROJECTS FOR BUS AND BUS-RELATED FACILI-**
 2 **TIES.**

3 *Of the amounts made available to carry out section*
 4 *5309(m)(2)(B)(iii) of title 49, United States Code, for each*
 5 *of fiscal years 2006 through 2008, the Secretary shall make*
 6 *funds available for the following projects in not less than*
 7 *the amounts specified for the fiscal year:*

<i>Projects</i>	<i>FY 06</i>	<i>FY 07</i>	<i>FY 08</i>
1. <i>Glendale, CA Purchase of CNG Buses for Glendale Bee-line Transit System</i>	<i>\$147,840</i>	<i>\$152,460</i>	<i>\$161,700</i>
2. <i>Detroit Fare Collection System</i>	<i>\$1,280,000</i>	<i>\$1,320,000</i>	<i>\$1,400,000</i>
3. <i>Flint, MI Construct Intermodal Hub at Bishop International Airport</i>	<i>\$640,000</i>	<i>\$660,000</i>	<i>\$700,000</i>
4. <i>Des Plaines, Wauconda, Cook and Lake Counties, IL Rand Road Transit Signal Priority</i>	<i>\$256,000</i>	<i>\$264,000</i>	<i>\$280,000</i>
5. <i>Indianapolis, IN Downtown transit center</i>	<i>\$4,480,000</i>	<i>\$4,620,000</i>	<i>\$4,900,000</i>
6. <i>Los Angeles, CA, Construction of Intermodal Transit Center at California State University Los Angeles</i>	<i>\$252,800</i>	<i>\$260,700</i>	<i>\$276,500</i>
7. <i>Columbus, OH—Central Ohio Transity Authority Paratransit Facility</i>	<i>\$640,000</i>	<i>\$660,000</i>	<i>\$700,000</i>
8. <i>Silver Spring, MD Construct Silver Spring Transit Center in downtown Silver Spring</i>	<i>\$1,168,000</i>	<i>\$1,204,500</i>	<i>\$1,277,500</i>
9. <i>Detroit, MI Enclosed heavy-duty maintenance facility with full operational functions for up to 300 buses</i>	<i>\$1,440,000</i>	<i>\$1,485,000</i>	<i>\$1,575,000</i>
10. <i>Bronx, NY Wildlife Conservation Society intermodal transportation facility at the Bronx Zoo</i>	<i>\$160,000</i>	<i>\$165,000</i>	<i>\$175,000</i>
11. <i>Construct pedestrian and bicycle amenities on Seawall Blvd Galveston, Tx</i>	<i>\$960,000</i>	<i>\$990,000</i>	<i>\$1,050,000</i>
12. <i>Hoboken, NJ Rehabilitation of Hoboken Intermodal Terminal</i>	<i>\$320,000</i>	<i>\$330,000</i>	<i>\$350,000</i>

<i>Projects</i>	<i>FY 06</i>	<i>FY 07</i>	<i>FY 08</i>
13. Newark, NJ Penn Station Intermodal Improvements including the rehabilitation of boarding areas	\$320,000	\$330,000	\$350,000
14. Orlando, Florida—LYNX Bus Fleet Expansion Program	\$288,000	\$297,000	\$315,000
15. Fairfax County, VA Richmond Highway (U.S. Route 1) Public Transportation Improvements	\$640,000	\$660,000	\$700,000
16. Portland, OR Renovation of Union Station, including structural reinforcement and public safety upgrades	\$32,000	\$33,000	\$35,000
17. Davis, CA Davis Multi-Modal Station to improve entrance to Amtrak Depot and parking lot, provide additional parking and improve service	\$320,000	\$330,000	\$350,000
18. Reno-Sparks, Nevada—Intermodal Transportation Terminals and Related Development	\$1,280,000	\$1,320,000	\$1,400,000
19. Bar Harbor, ME Purchase new buses to enhance commuting near the Jackson Labs	\$96,000	\$99,000	\$105,000
20. Bronx, NY Establish an intermodal transportation facility at the Wildlife Conservation Society Bronx Zoo	\$320,000	\$330,000	\$350,000
21. Hingham, MA Hingham Marine Intermodal Center Improvements: Enhance public transportation infrastructure/parking	\$2,880,000	\$2,970,000	\$3,150,000
22. Philadelphia, PA Philadelphia Zoo Intermodal Transportation project w/parking consolidation, pedestrian walkways, public transportation complements & landscape improvements to surface parking lots	\$1,600,000	\$1,650,000	\$1,750,000
23. Construct intermodal transportation & parking facility, City of Winter Park	\$160,000	\$165,000	\$175,000
24. Roma, TX Bus Facility	\$168,000	\$173,250	\$183,750
25. New York City, NY First Phase Implementation of Bus Rapid Transit System ..	\$320,000	\$330,000	\$350,000

<i>Projects</i>	<i>FY 06</i>	<i>FY 07</i>	<i>FY 08</i>
26. Scottsdale, Arizona—Construct intermodal center	\$640,000	\$660,000	\$700,000
27. Sonoma County, CA Purchase of CNG buses	\$160,000	\$165,000	\$175,000
28. Camden, NJ Construction of the Camden County Intermodal Facility in Cramer Hill	\$320,000	\$330,000	\$350,000
29. Sandy Hook, NJ National Park Service - Construct year-round ferry dock at Sandy Hook Unit of Gateway National Recreation Area	\$320,000	\$330,000	\$350,000
30. Sevier County, Tennessee—U.S. 441. bus rapid transit ..	\$80,000	\$82,500	\$87,500
31. St. Augustine, Florida—Intermodal Transportation and Parking Facility	\$320,000	\$330,000	\$350,000
32. Torrington, CT Construct bus-related facility (Northwestern Connecticut Central Transit District)	\$640,000	\$660,000	\$700,000
33. Warren, PA—Construct Intermodal Transportation Center and related pedestrian and landscape improvements	\$320,000	\$330,000	\$350,000
34. Toledo, OH TARTA/TARPS Passenger Intermodal Facility construction	\$2,400,000	\$2,475,000	\$2,625,000
35. Union City, CA Intermodal Station, Phase 1: Modify BART station	\$1,360,000	\$1,402,500	\$1,487,500
36. Los Angeles, CA Wilshire-Vermont subway station reconstruction	\$320,000	\$330,000	\$350,000
37. Lancaster, PA—bus replacement	\$304,000	\$313,500	\$332,500
38. Monmouth County, NJ Construction of main bus facility for Freehold Township, including a terminal and repair shop	\$640,000	\$660,000	\$700,000
39. Monrovia, California—Transit Village Project	\$960,000	\$990,000	\$1,050,000
40. Duluth, MN Downtown Duluth Area Transit facility improvements	\$640,000	\$660,000	\$700,000
41. Brooklyn, NY New Urban Center—Broadway Junction Intermodal Center	\$307,200	\$316,800	\$336,000

<i>Projects</i>	<i>FY 06</i>	<i>FY 07</i>	<i>FY 08</i>
42. Medford, MA Downtown revitalization featuring construction of a 200 space Park and Ride Facility	\$640,000	\$660,000	\$700,000
43. Needles, California—El Garces Intermodal Facility ..	\$640,000	\$660,000	\$700,000
44. Bridgeport, Connecticut—Greater Bridgeport Transit Authority Bus Facility	\$160,000	\$165,000	\$175,000
45. Palm Springs, California--Sunline Transit bus purchase	\$160,000	\$165,000	\$175,000
46. National Park Service - Design and construct 2.1-mile segment to complete Sandy Hook multi-use pathway in Sandy Hook, NJ	\$320,000	\$330,000	\$350,000
47. Phoenix, AZ Construct City of Phoenix paratransit facility (Dial-a-Ride)	\$320,000	\$330,000	\$350,000
48. Project provides for the engineering and construction of a transportation center in Paoli, Chester County	\$320,000	\$330,000	\$350,000
49. Columbus, Georgia—Buses & Bus Facilities	\$310,080	\$319,770	\$339,150
50. Cleveland, Ohio—University Circle intermodal facility	\$2,720,000	\$2,805,000	\$2,975,000
51. Cleveland, OH acquisition of buses Greater Cleveland Regional Transit Authority	\$320,000	\$330,000	\$350,000
52. Greensboro, North Carolina—Replacement buses	\$1,849,600	\$1,907,400	\$2,023,000
53. Johnson Co., KS Bus and bus related facilities [I-35 corridor], Johnson Co. Transit	\$640,000	\$660,000	\$700,000
54. City of Alameda, CA Plan, design, and construct intermodal facility	\$640,000	\$660,000	\$700,000
55. New Orleans, LA Intermodal Riverfront Center	\$160,000	\$165,000	\$175,000
56. Replace railroad draw bridge in Galveston, Texas ...	\$160,000	\$165,000	\$175,000
57. Wilmington, NC Build Intermodal Center	\$320,000	\$330,000	\$350,000
58. Yabucoa, Puerto Rico—Trolley buses	\$56,000	\$57,750	\$61,250
59. Beverly, MA Design and Construct Beverly Depot Intermodal Transportation Center	\$640,000	\$660,000	\$700,000

<i>Projects</i>	<i>FY 06</i>	<i>FY 07</i>	<i>FY 08</i>
60. Georgia Statewide Bus Program	\$64,000	\$66,000	\$70,000
61. Trenton, New Jersey— Trenton Train Station Rehabilitation	\$400,000	\$412,500	\$437,500
62. Trenton, NJ Reconstruction and rehabilitation of the Trenton Train Station	\$2,240,000	\$2,310,000	\$2,450,000
63. Zapata, Texas Purchase Bus vehicles	\$80,000	\$82,500	\$87,500
64. Zanesville, OH—bus system signage and shelters	\$20,800	\$21,450	\$22,750
65. York, Pennsylvania—Rabbit Transit facilities and communications equipment ..	\$886,560	\$914,265.	\$969,675
66. Canby, OR bus and bus facilities	\$48,000	\$49,500	\$52,500
67. New Orleans, LA Plan and construct New Orleans Union Passenger Terminal intermodal facilities	\$320,000	\$330,000	\$350,000
68. Northern Neck and Middle Peninsula, Virginia—Bay Transit Multimodal Facilities	\$1,040,000	\$1,072,500	\$1,137,500
69. Broward County, FL Busses & Bus Facilities	\$2,080,000	\$2,145,000	\$2,275,000
70. Palm Springs, California-- Sunline Transit: CalStart- Weststart fuel cell bus program	\$320,000	\$330,000	\$350,000
71. San Juan, Puerto Rico— Buses	\$320,000	\$330,000	\$350,000
72. Hammond, Louisiana— Passenger intermodal facility at Southern Louisiana	\$64,000	\$66,000	\$70,000
73. West Virginia Construct Beckley Intermodal Gateway pursuant to the eligibility provisions for projects listed under section 3030(d)(3) of P.L. 105-178.	\$7,680,000	\$7,920,000	\$8,400,000
74. Albany-Schenectady, NY Bus Rapid Transit Improvements in NY Route 5. Corridor	\$320,000	\$330,000	\$350,000
75. Alameda County, CA AC Transit Bus Rapid Transit Corridor Project	\$160,000	\$165,000	\$175,000
76. Baldwin Park, CA Construct vehicle and bicycle parking lot and pedestrian rest area at transit center	\$640,000	\$660,000	\$700,000

<i>Projects</i>	<i>FY 06</i>	<i>FY 07</i>	<i>FY 08</i>
77. <i>Niagara Falls, NY Relocation, Development, and Enhancement of Niagara Falls International Railway Station/Intermodal Transportation Center</i>	\$1,792,000	\$1,848,000	\$1,960,000
78. <i>Utica, New York—Union Station Boehlert Center siding track improvements</i>	\$32,000	\$33,000	\$35,000
79. <i>Ionia County, MI—Purchase and implementation of communication equipment improvements</i>	\$188,800	\$194,700	\$206,500
80. <i>Flagler County, Florida—bus facility</i>	\$192,000	\$198,000	\$210,000
81. <i>Easton, Pennsylvania—Design and construct Intermodal Transportation Center</i>	\$640,000	\$660,000	\$700,000
82. <i>Yamhill County, OR For the construction of bus shelters, park and ride facilities, and a signage strategy to increase ridership</i>	\$35,200	\$36,300	\$38,500
83. <i>Woodland, CA Yolobus operations, maintenance, administration facility expansion and improvements to increase bus service with alternative fuel buses</i>	\$640,000	\$660,000	\$700,000
84. <i>Sacramento, CA Construct intermodal station and related improvements</i>	\$2,240,000	\$2,310,000	\$2,450,000
85. <i>Torrance Transit System, CA Acquisition of EPA and CARB-certified low emission replacement buses</i>	\$960,000	\$990,000	\$1,050,000
86. <i>Burlington County, NJ—BurLink and Burlington County Transportation System vehicles and equipment</i>	\$1,280,000	\$1,320,000	\$1,400,000
87. <i>Niles, OH Acquisition of bus operational and service equipment for Niles Trumbull Transit</i>	\$64,000	\$66,000	\$70,000
88. <i>Rockport, MA Rockport Commuter Rail Station Improvements</i>	\$880,000	\$907,500	\$962,500
89. <i>Cincinnati, Ohio—Metro Regional Transit Hub Network Eastern Neighborhoods</i>	\$256,000	\$264,000	\$280,000
90. <i>Buses and bus related facilities throughout the State of Connecticut</i>	\$1,920,000	\$1,980,000	\$2,100,000

<i>Projects</i>	<i>FY 06</i>	<i>FY 07</i>	<i>FY 08</i>
91. <i>Columbus, GA Bus replacement</i>	\$96,000	\$99,000	\$105,000
92. <i>Norwalk, CA Transit System Bus Procurement and Los Angeles World Airport Remote Fly-Away Facility Project</i>	\$256,000	\$264,000	\$280,000
93. <i>Salem, OR bus and bus facilities</i>	\$640,000	\$660,000	\$700,000
94. <i>Ilwaco, WA Procure shuttles for Lewis and Clark National Historical Park</i>	\$32,000	\$33,000	\$35,000
95. <i>Gainesville, FL Bus Replacement</i>	\$1,280,000	\$1,320,000	\$1,400,000
96. <i>SEPTA Montgomery County Intermodal Improvements at Glenside and Jenkintown Station Parking Garages</i>	\$1,600,000	\$1,650,000	\$1,750,000
97. <i>Fredericksburg, Virginia—Improve and repair Fredericksburg Station</i>	\$640,000	\$660,000	\$700,000
98. <i>Birmingham, AL Expansion of Downtown Intermodal Facility, Phase II</i>	\$640,000	\$660,000	\$700,000
99. <i>Gresham, Oregon Construct a new light rail station and transit plaza on Portland MAX system and serve Gresham Civic neighborhood</i>	\$448,000	\$462,000	\$490,000
100. <i>Jersey City, NJ McGinley Square Intermodal Facility</i>	\$256,000	\$264,000	\$280,000
101. <i>Emeryville, CA Expand & Improve Intermodal Transit Center at Amtrak Station</i>	\$320,000	\$330,000	\$350,000
102. <i>Jersey City, NJ Construct West Entrance to Pavonia-Newport PATH Station</i>	\$640,000	\$660,000	\$700,000
103. <i>Longwood, Florida—Construct Intermodal Transportation Facility</i>	\$160,000	\$165,000	\$175,000
104. <i>Marietta, Ohio Construction of transportation hub to accommodate regional bus traffic</i>	\$160,000	\$165,000	\$175,000
105. <i>Akron, Ohio—West Market Street transit center and related pedestrian improvements</i>	\$208,000	\$214,500	\$227,500
106. <i>Sandy, Oregon Transit Bus Facility</i>	\$112,000	\$115,500	\$122,500
107. <i>Jacksonville, FL Paratransit Vehicles</i>	\$1,440,000	\$1,485,000	\$1,575,000

<i>Projects</i>	<i>FY 06</i>	<i>FY 07</i>	<i>FY 08</i>
108. Carson, CA Purchase two tripper buses	\$160,000	\$165,000	\$175,000
109. Bloomington, IN—Bus and transfer facility	\$1,539,200	\$1,587,300	\$1,683,500
110. Cobb County, GA Cobb County Smart Card Technology/ Bus Facility Improvements	\$320,000	\$330,000	\$350,000
111. Construct West Houston and Fort Bend County, Texas—bus transit corridor	\$320,000	\$330,000	\$350,000
112. Mariposa, CA—Yosemite National Park CNG-Hydrogen transit buses and facilities	\$800,000	\$825,000	\$875,000
113. Snohomish County, WA Community Transit bus purchases and facility enhancement	\$960,000	\$990,000	\$1,050,000
114. Geneva, Illinois—Construct commuter parking deck for Metra Service	\$1,280,000	\$1,320,000	\$1,400,000
115. Rhode Island Statewide Bus Fleet	\$1,920,000	\$1,980,000	\$2,100,000
116. Pleasant Hill, CA Construct Diablo Valley College Bus Transit Center	\$480,000	\$495,000	\$525,000
117. Broward, FL Purchase new articulated buses and bus stop improvements on State Road 7. (SR 7) between Golden Glades Interchange and Glades Road	\$160,000	\$165,000	\$175,000
118. Attleboro, MA Construction, engineering and site improvements at the Attleboro Intermodal Center	\$640,000	\$660,000	\$700,000
119. Burbank, CA CNG Transit Vehicles Purchase for Local Transit Network Expansion	\$144,000	\$148,500	\$157,500
120. Dayton Airport Intermodal Rail Feasibility Study	\$240,000	\$247,500	\$262,500
121. Los Angeles, CA Improve transit shelters, sidewalks lighting and landscaping around Cedar’s-Sinai Medical Center	\$480,000	\$495,000	\$525,000
122. Baltimore, MD Construct Intercity Bus Intermodal Terminal	\$1,600,000	\$1,650,000	\$1,750,000

<i>Projects</i>	<i>FY 06</i>	<i>FY 07</i>	<i>FY 08</i>
123. <i>Cheltenham, PA Glenside Rail Station Parking Garage project involving the construction of a 300-400 space parking lot at Easton Road and Glenside Avenue</i>	\$320,000	\$330,000	\$350,000
124. <i>Haverhill, MA Design and Construct Intermodal Transit Parking Improvements</i>	\$1,792,000	\$1,848,000	\$1,960,000
125. <i>Palm Beach County, FL Plan and Construct Belle Glade Combined Passenger Transit Facility</i>	\$1,120,000	\$1,155,000	\$1,225,000
126. <i>Pittsburgh, PA Clean Fuel Bus Procurement</i>	\$160,000	\$165,000	\$175,000
127. <i>San Fernando, CA Purchase CNG buses and related equipment and construct facilities</i>	\$972,800	\$1,003,200	\$1,064,000
128. <i>Bayamon, Puerto Rico—bus terminal</i>	\$192,000	\$198,000	\$210,000
129. <i>Bozeman, Montana—Intermodal and Parking Facility</i>	\$640,000	\$660,000	\$700,000
130. <i>New Brunswick, NJ Construct parking facility at the Robert Wood Johnson University Hospital and UMDNJ-Robert Wood Johnson Medical School</i>	\$640,000	\$660,000	\$700,000
131. <i>Stonington and Mystic, Connecticut—Intermodal Center parking facility and Streetscape</i>	\$1,100,800	\$1,135,200	\$1,204,000
132. <i>Carson, CA Purchase one bus</i>	\$80,000	\$82,500	\$87,500
133. <i>Miami-Dade County, Florida—Transit Security System</i>	\$800,000	\$825,000	\$875,000
134. <i>Town of Chapel Hill, NC Park and Ride Lot</i>	\$480,000	\$495,000	\$525,000
135. <i>Wheaton, IL Pace Suburban Bus—Purchase buses</i>	\$320,000	\$330,000	\$350,000
136. <i>Ocala and Marion County, Florida—replacement buses</i>	\$960,000	\$990,000	\$1,050,000
137. <i>Philadelphia, PA Improvements to the existing Penn's Landing Ferry Terminal</i>	\$1,280,000	\$1,320,000	\$1,400,000

<i>Projects</i>	<i>FY 06</i>	<i>FY 07</i>	<i>FY 08</i>
138. Long Branch, NJ Design and construct facilities for ferry service from Long Branch, NJ to New York City and other destinations ..	\$1,280,000	\$1,320,000	\$1,400,000
139. Quincy, MA MBTA Purchase high speed catamaran ferry for Quincy Harbor Express Service	\$640,000	\$660,000	\$700,000
140. Los Angeles, CA Crenshaw Bus Rapid Transit	\$2,728,960	\$2,814,240	\$2,984,800
141. South Bend, Indiana—Construct South Bend Bus Operations Center	\$160,000	\$165,000	\$175,000
142. Arlington County, VA Crystal City—Potomac Yard Busway, including construction of bus shelters	\$960,000	\$990,000	\$1,050,000
143. Raleigh, NC Purchase eighteen replacement buses to replace buses that have reached their useful life according to Federal Transit Administration regulations ..	\$640,000	\$660,000	\$700,000
144. Augusta, GA Buses and Bus Facilities	\$128,000	\$132,000	\$140,000
145. Santa Ana, CA Improve Santa Ana transit terminal	\$320,000	\$330,000	\$350,000
146. Cooperstown, New York--Intermodal Facility Project	\$1,600,000	\$1,650,000	\$1,750,000
147. Santa Barbara, CA—Expansion of Regional Intermodal Transit Center	\$96,000	\$99,000	\$105,000
148. Tampa, FL Purchase buses and construct bus facilities	\$720,000	\$742,500	\$787,500
149. Hidalgo County, TX Regional Multi-Modal Center ...	\$640,000	\$660,000	\$700,000
150. Phoenix, AZ Construct regional heavy bus maintenance facility	\$320,000	\$330,000	\$350,000
151. Thurston County, WA Replace Thurston County Buses	\$288,000	\$297,000	\$315,000
152. San Juan, Puerto Rico—bus security equipment	\$960,000	\$990,000	\$1,050,000
153. Bryan, TX The District—Bryan Intermodel Transit Terminal and Parking Facility	\$960,000	\$990,000	\$1,050,000
154. City of Greenville, NC Expansion Buses and Greenville Intermodal Center	\$1,140,480	\$1,176,120	\$1,247,400

<i>Projects</i>	<i>FY 06</i>	<i>FY 07</i>	<i>FY 08</i>
155. <i>City of Livermore, CA Construct Bus Facility for Livermore Amador Valley Transit Authority</i>	\$720,000	\$742,500	\$787,500
156. <i>Detroit Replacement Buses</i>	\$1,600,000	\$1,650,000	\$1,750,000
157. <i>Bealeton, Virginia—Intermodal Station Depot Refurbishment</i>	\$88,000	\$90,750	\$96,250
158. <i>Covina, El Monte, Baldwin Park, Upland, CA Parking and Electronic Signage Improvements</i>	\$560,000	\$577,500	\$612,500
159. <i>Eugene, OR Lane Transit District, Vehicle Replacement</i>	\$640,000	\$660,000	\$700,000
160. <i>Kearney, Nebraska—RYDE Transit Bus Maintenance and Storage Facility ..</i>	\$640,000	\$660,000	\$700,000
161. <i>Revere, MA Intermodal transit improvements in the Wonderland station (MBTA) area</i>	\$576,000	\$594,000	\$630,000
162. <i>Brownsville, TX Brownsville Ruban System City-Wide Transit Improvement Project</i>	\$640,000	\$660,000	\$700,000
163. <i>Normal, Illinois—Multimodal Transportation Center</i>	\$2,240,000	\$2,310,000	\$2,450,000
164. <i>Puerto Rico—Caribbean National Forest buses and bus facilities</i>	\$960,000	\$990,000	\$1,050,000
165. <i>Albany, OR Rehabilitate Building At Multimodal Transit Station</i>	\$409,600	\$422,400	\$448,000
166. <i>Bronx, NY Hebrew Home for the Aged elderly and disabled transportation support</i>	\$48,000	\$49,500	\$52,500
167. <i>Denver, CO Denver Union Station Intermodal Center ...</i>	\$1,760,000	\$1,815,000	\$1,925,000
168. <i>Elizabeth, NJ Broad Street Streetscape Improvements and Bus Shelters</i>	\$224,000	\$231,000	\$245,000
169. <i>Delaware-- University of Delaware Fuel Cell Bus Deployment</i>	\$160,000	\$165,000	\$175,000
170. <i>Louisiana - Construct pedestrian walkways between Caddo St. and Milam St. along Edwards St. in Shreveport, LA</i>	\$320,000	\$330,000	\$350,000
171. <i>Riverside, California-- RTA Advanced Traveler Information System</i>	\$160,000	\$165,000	\$175,000

<i>Projects</i>	<i>FY 06</i>	<i>FY 07</i>	<i>FY 08</i>
172. <i>Santa Monica, CA Purchase and service LNG buses for Santa Monica's Big Blue Bus to meet increased ridership needs and reduce emissions</i>	\$1,200,000	\$1,237,500	\$1,312,500
173. <i>Ontario, CA Construct Omnitrans Transcenter</i>	\$320,000	\$330,000	\$350,000
174. <i>Brockton, MA Bus replacement for the Brockton Area Transit Authority</i>	\$480,000	\$495,000	\$525,000
175. <i>Molalla, OR South Clackamas Transportation District, bus purchase</i>	\$32,000	\$33,000	\$35,000
176. <i>Boise, ID—Multi-modal facility</i>	\$1,440,000	\$1,485,000	\$1,575,000
177. <i>Fond du Lac Reservation, MN Purchase busses</i>	\$48,000	\$49,500	\$52,500
178. <i>Sandy City, UT Construct transit hub station and TRAX station at 9400 South</i>	\$640,000	\$660,000	\$700,000
179. <i>Albany, OR Construct Pathway From Multimodal Transit Station to Swanson Park</i>	\$166,400	\$171,600	\$182,000
180. <i>Tillamook, OR construction of a transit facility</i>	\$32,000	\$33,000	\$35,000
181. <i>Trenton, NJ Development of Trenton Trolley System ...</i>	\$320,000	\$330,000	\$350,000
182. <i>Utica, New York—Union Station rehabilitation and related infrastructure improvements</i>	\$160,000	\$165,000	\$175,000
183. <i>San Fernando Valley, CA Reseda Blvd. Bus Rapid Transit Route</i>	\$192,000	\$198,000	\$210,000
184. <i>Richmond, VA Renovation and construction for Main Street Station</i>	\$352,000	\$363,000	\$385,000
185. <i>St. Paul to Hinckley, MN Construct bus amenities along Rush Line Corridor</i>	\$480,000	\$495,000	\$525,000
186. <i>Mattoon, Illinois—historic railroad depot restoration/intermodal center</i>	\$512,000	\$528,000	\$560,000
187. <i>Columbia County, OR To purchase buses</i>	\$44,800	\$46,200	\$49,000
188. <i>Westchester County, NY Bee-Line Bus Replacement program</i>	\$80,000	\$82,500	\$87,500

<i>Projects</i>	<i>FY 06</i>	<i>FY 07</i>	<i>FY 08</i>
189. <i>Sacramento, CA Bus enhancement and improvements-construct maintenance facility and purchase clean-fuel buses to improve transit service</i>	\$640,000	\$660,000	\$700,000
190. <i>Calxico, CA Purchase new buses for the Calxico Transit System</i>	\$96,000	\$99,000	\$105,000
191. <i>Monterey Park, CA Safety improvements at a bus stop including creation of bus loading areas and street improvements</i>	\$512,000	\$528,000	\$560,000
192. <i>Buffalo, NY Intermodal Center Parking Facility</i>	\$320,000	\$330,000	\$350,000
193. <i>Mukilteo, WA Multi-Modal Terminal</i>	\$1,856,000	\$1,914,000	\$2,030,000
194. <i>Orange County Transit Authority, California—Security surveillance and monitoring equipment</i>	\$1,692,800	\$1,745,700	\$1,851,500
195. <i>Woodland Hills, CA Los Angeles Pierce College Bus Rapid Transit Station Extension</i>	\$320,000	\$330,000	\$350,000
196. <i>Design Downtown Carrollton Regional Multi-Modal Transit Hub Station</i>	\$640,000	\$660,000	\$700,000
197. <i>Brooklyn, NY Brooklyn Children’s Museum</i>	\$448,000	\$462,000	\$490,000
198. <i>Cleveland, Ohio—Euclid Avenue University Hospital intermodal facility</i>	\$1,440,000	\$1,485,000	\$1,575,000
199. <i>Las Vegas, NV Construct Central City Intermodal Transportation Terminal</i>	\$1,920,000	\$1,980,000	\$2,100,000
200. <i>Montebello, CA Bus Lines Bus Fleet Replacement Project</i>	\$224,000	\$231,000	\$245,000
201. <i>Philadelphia, PA Cruise Terminal Transportation Ctr. Phila. Naval Shipyard</i>	\$1,120,000	\$1,155,000	\$1,225,000
202. <i>Cleveland, OH Construct Fare Collection System Project, Cuyahoga County</i>	\$160,000	\$165,000	\$175,000
203. <i>Tempe, Arizona—East Valley Metro Bus Facility</i>	\$1,600,000	\$1,650,000	\$1,750,000
204. <i>Boysville of Michigan Transportation System</i>	\$1,075,200	\$1,108,800	\$1,176,000

<i>Projects</i>	<i>FY 06</i>	<i>FY 07</i>	<i>FY 08</i>
205. <i>Woburn, MA Construction of an 89. space park and ride facility to be located on Magazine Hill, in the Heart of Woburn Square</i>	\$576,000	\$594,000	\$630,000
206. <i>Sylvester, GA Intermodal Facility</i>	\$64,000	\$66,000	\$70,000
207. <i>Culver City, CA Purchase compressed natural gas buses and expand natural gas fueling facility</i>	\$1,184,000	\$1,221,000	\$1,295,000
208. <i>Eastern Upper Peninsula, MI Ferry Dock and Facility upgrades for Drummond Island Ferry Services</i>	\$80,000	\$82,500	\$87,500
209. <i>Morristown, New Jersey—Intermodal Historic Station</i>	\$320,000	\$330,000	\$350,000
210. <i>San Antonio, TX Improve VIA bus facility and purchase new buses</i>	\$2,240,000	\$2,310,000	\$2,450,000
211. <i>Miami-Dade County, Florida—buses and bus facilities</i>	\$2,880,000	\$2,970,000	\$3,150,000
212. <i>Glendale, CA Construction of Downtown Streetcar Project</i>	\$320,000	\$330,000	\$350,000
213. <i>Gainesville, FL Bus Rapid Transit Study</i>	\$160,000	\$165,000	\$175,000
214. <i>Mount Rainier, MD Intermodal and Pedestrian Project</i>	\$144,000	\$148,500	\$157,500
215. <i>Allentown, Pennsylvania—Da Vinci Center hydrogen fuel-celled transit vehicles</i>	\$512,000	\$528,000	\$560,000
216. <i>Wilsonville, OR South Metro Area Rapid Transit, bus and bus facilities</i>	\$80,000	\$82,500	\$87,500
217. <i>Charlotte, NC Construct Charlotte Multimodal Station</i>	\$2,496,000	\$2,574,000	\$2,730,000
218. <i>Enfield, Connecticut—intermodal station</i>	\$640,000	\$660,000	\$700,000
219. <i>Chicago, IL Feasibility Study for intermodal station on the Metra Rock Island near Kennedy-King College ..</i>	\$96,000	\$99,000	\$105,000
220. <i>Indianapolis, IN IndySMART program to relieve congestion, improve safety and air quality</i>	\$640,000	\$660,000	\$700,000

<i>Projects</i>	<i>FY 06</i>	<i>FY 07</i>	<i>FY 08</i>
221. <i>Chicago, IL Construct intermodal facility at 35th Street at Metra Red Line (Northside)</i>	\$1,600,000	\$1,650,000	\$1,750,000
222. <i>Escondido, CA—Construct Bus Maintenance Facility</i>	\$160,000	\$165,000	\$175,000
223. <i>Los Angeles, CA Design and construct improved transit and pedestrian linkages between Los Angeles Community College and nearby MTA rail stop and bus lines</i>	\$480,000	\$495,000	\$525,000
224. <i>Montgomery County, MD Wheaton CBD Intermodal Access Program</i>	\$160,000	\$165,000	\$175,000
225. <i>Allentown, Pennsylvania—Design and construct Intermodal Transportation Center</i>	\$640,000	\$660,000	\$700,000
226. <i>Champaign, IL—Construct park and ride lot with attached daycare facility</i>	\$480,000	\$495,000	\$525,000
227. <i>Berkeley, CA Construct Ed Roberts Campus Intermodal Transit Disability Center</i>	\$960,000	\$990,000	\$1,050,000
228. <i>Charlotte, North Carolina—Multimodal Station ...</i>	\$1,280,000	\$1,320,000	\$1,400,000
229. <i>Coconino County bus and bus facilities for the Sedona Transit System</i>	\$24,000	\$24,750	\$26,250
230. <i>Construction of Third Bus Depot on Staten Island</i>	\$3,840,000	\$3,960,000	\$4,200,000
231. <i>Harrison, Arkansas--Trolley Barn</i>	\$12,800	\$13,200	\$14,000
232. <i>Alexandria, VA Royal Street Bus Garage Replacement</i>	\$160,000	\$165,000	\$175,000
233. <i>Intermodal Facilities in Bucks County (Croydon and Levittown Stations)</i>	\$320,000	\$330,000	\$350,000
234. <i>Bronx, NY Jacobi Intermodal Center to North Central Bronx Hospital bus system</i>	\$160,000	\$165,000	\$175,000
235. <i>Indianapolis, IN Construct the Ivy Tech State College Multi-Modal Facility</i>	\$1,600,000	\$1,650,000	\$1,750,000
236. <i>Juneau, Alaska—transit bus acquisition and transit center</i>	\$480,000	\$495,000	\$525,000

<i>Projects</i>	<i>FY 06</i>	<i>FY 07</i>	<i>FY 08</i>
237. <i>Knoxville, Tennessee— Central Station Transit Center</i>	\$3,264,000	\$3,366,000	\$3,570,000
238. <i>Levy County, Florida-- Purchase 2. wheel chair equipped passenger buses and related equipment</i>	\$96,000	\$99,000	\$105,000
239. <i>Lafayette, Louisiana-- La- fayette Transit System bus replacement program</i>	\$288,000	\$297,000	\$315,000
240. <i>Nebraska—statewide tran- sit vehicles, facilities, and re- lated equipment</i>	\$1,280,000	\$1,320,000	\$1,400,000
241. <i>Cincinnati, Ohio— Costruct Uptown Crossings Joint Development Transit Project</i>	\$160,000	\$165,000	\$175,000
242. <i>Des Moines, IA Purchase 40 foot buses</i>	\$320,000	\$330,000	\$350,000
243. <i>New Orleans, LA Regional Planning Commission, bus and bus facilities</i>	\$160,000	\$165,000	\$175,000
244. <i>Orange County, CA Pur- chase buses for rapid transit</i>	\$320,000	\$330,000	\$350,000
245. <i>Bus to provide Yorktown internal circulator to provide transportaion throughout the Town</i>	\$59,200	\$61,050	\$64,750
246. <i>Providence, RI Expansion of Elmwood Paratransit Maintenance Facility</i>	\$1,600,000	\$1,650,000	\$1,750,000
247. <i>Atlanta, GA Intermodal Passenger Facility Improve- ments</i>	\$640,000	\$660,000	\$700,000
248. <i>Palm Beach, FL Palm Tran AVL-APC system with smart card fareboxes</i>	\$80,000	\$82,500	\$87,500
249. <i>Grand Rapids, MI—Pur- chase replacement and ex- pansion buses</i>	\$4,688,000	\$4,834,500	\$5,127,500
250. <i>Maywood, IL Purchase buses</i>	\$16,000	\$16,500	\$17,500
251. <i>Redondo Beach, CA Cap- ital Equipment procurement of 12. Compressed Natural Gas (CNG) Transit vehicles for Coastal Shuttle Services by Beach Cities Transit</i>	\$256,000	\$264,000	\$280,000
252. <i>Rochester, New York— Renaissance Square transit center</i>	\$1,440,000	\$1,485,000	\$1,575,000

<i>Projects</i>	<i>FY 06</i>	<i>FY 07</i>	<i>FY 08</i>
253. <i>San Bernardino, CA Implement Santa Fe Depot improvements in San Bernardino</i>	\$160,000	\$165,000	\$175,000
254. <i>San Joaquin, California Regional Rail—Altamont Commuter Express Corridor intermodal centers</i>	\$1,280,000	\$1,320,000	\$1,400,000
255. <i>Albany, GA Multimodal Facility</i>	\$256,000	\$264,000	\$280,000
256. <i>Savannah, GA Bus and Bus Facilities—Chatham Area Transit</i>	\$1,600,000	\$1,650,000	\$1,750,000
257. <i>Newburyport, MA Design and Construct Intermodal Facility</i>	\$640,000	\$660,000	\$700,000
258. <i>Cleveland, Ohio—Euclid Avenue and East 93rd Street intermodal facility</i>	\$2,720,000	\$2,805,000	\$2,975,000
259. <i>St. Charles, IL—Intermodal Parking Structures</i>	\$1,440,000	\$1,485,000	\$1,575,000
260. <i>Gardena, CA Purchase of alternative fuel buses for service expansion, on-board security system and bus facility training equipment</i>	\$1,569,280	\$1,618,320	\$1,716,400
261. <i>Thendra-Webb and Utica, New York-- install hadicap lifts in intermodal centers</i>	\$32,000	\$33,000	\$35,000
262. <i>Union City, NJ Construct Union City Intermodal Facility</i>	\$640,000	\$660,000	\$700,000
263. <i>Wilmar, AR Develop the Southeast Arkansas Intermodal Facility</i>	\$640,000	\$660,000	\$700,000
264. <i>Westchester County, NY Bus replacement program</i>	\$1,200,000	\$1,237,500	\$1,312,500
265. <i>Village of Tinley Park, Illinois, 80th Avenue Commuter Rail Station reconstruction and site enhancements</i>	\$160,000	\$165,000	\$175,000
266. <i>Martinez, CA Intermodal Facility Restoration</i>	\$480,000	\$495,000	\$525,000
267. <i>Middletown, CT Construct intermodal center</i>	\$480,000	\$495,000	\$525,000
268. <i>Nashville, TN Construct a parking garage on the campus of Lipscomb University, Nashville</i>	\$640,000	\$660,000	\$700,000

<i>Projects</i>	<i>FY 06</i>	<i>FY 07</i>	<i>FY 08</i>
269. <i>New London, Connecticut—Intermodal Transportation Center and Streetscapes</i>	\$640,000	\$660,000	\$700,000
270. <i>Vernon, Connecticut—Intermodal Center, Parking and Streetscapes</i>	\$2,112,000	\$2,178,000	\$2,310,000
271. <i>Huntington, NY Replacement of three full sized transit buses with hybrid electric buses</i>	\$192,000	\$198,000	\$210,000
272. <i>Bend, Oregon—replacement vans</i>	\$320,000	\$330,000	\$350,000
273. <i>Boston, MA Harbor Park Pavilion & Intermodal Station</i>	\$288,000	\$297,000	\$315,000
274. <i>Philadelphia, PA SEPTA's Market St. Elevated Rail project in conjunction with Philadelphia Commercial Development Corporation for improvements and assistance to entities along rail corridor</i>	\$448,000	\$462,000	\$490,000
275. <i>Jesup, Georgia—Train Depot intermodal center</i>	\$320,000	\$330,000	\$350,000
276. <i>Long Beach, CA Museum of Latin American Art, Long Beach, to build intermodal park and ride facility</i>	\$640,000	\$660,000	\$700,000
277. <i>Shreveport, LA—Intermodal Transit Facility</i>	\$1,072,000	\$1,105,500	\$1,172,500
278. <i>Arlington County, VA Columbia Pike Bus Improvements</i>	\$1,120,000	\$1,155,000	\$1,225,000
279. <i>Los Angeles, CA Purchase of clean fuel buses to improve bus service in South Los Angeles</i>	\$273,920	\$282,480	\$299,600
280. <i>Lowell, MA Implementation of LRTA bus replacement plan</i>	\$320,000	\$330,000	\$350,000
281. <i>Falls Church, VA Falls Church Intermodal Transportation Center</i>	\$640,000	\$660,000	\$700,000
282. <i>San Diego, CA Completion of San Diego Joint Transportation Operations Center (JTOC)</i>	\$640,000	\$660,000	\$700,000
283. <i>St. Bernard Parish, LA Intermodal facility improvements</i>	\$320,000	\$330,000	\$350,000

<i>Projects</i>	<i>FY 06</i>	<i>FY 07</i>	<i>FY 08</i>
284. <i>Town of Warwick, NY. Rt 94. construction of series of secondary and interior travel lanes</i>	\$27,840	\$28,710	\$30,450
285. <i>Metro Gold Line Foothill Extension Light Rail Transit Project from Pasadena, CA to Montclair, CA</i>	\$4,800,000	\$4,950,000	\$5,250,000
286. <i>Richmond, CA BART Parking Structure</i>	\$1,600,000	\$1,650,000	\$1,750,000
287. <i>San Francisco, CA Implementation ITS on Muni Transit System</i>	\$960,000	\$990,000	\$1,050,000
288. <i>Alameda County, CA AC Transit Bus Rapid Transit Corridor Project</i>	\$640,000	\$660,000	\$700,000
289. <i>Town of Warwick, NY Bus Facility Warwick Transit System</i>	\$176,000	\$181,500	\$192,500
290. <i>Galveston, Texas—Intermodal center and parking facility, The Strand</i>	\$1,440,000	\$1,485,000	\$1,575,000
291. <i>Joliet, Illinois—Union Station commuter parking facility</i>	\$800,000	\$825,000	\$875,000
292. <i>Lake County, Ohio—Ohio Department of Transportation transit improvements</i>	\$48,000	\$49,500	\$52,500
293. <i>Muskegon, Michigan—Muskegon Area Transit Terminal and related improvements</i>	\$640,000	\$660,000	\$700,000
294. <i>Orlando, FL Bus Replacement</i>	\$1,280,000	\$1,320,000	\$1,400,000
295. <i>Long Beach, CA Purchase one larger (75. passengers) and two smaller (40 passengers) ferryboats and construct related dock work to facilitate the use and accessibility of the ferryboats</i>	\$960,000	\$990,000	\$1,050,000
296. <i>Elgin to Rockford, Illinois—Intermodal stations along planned Metra Union Pacific West Line extension alignment, including necessary alternatives analysis</i>	\$960,000	\$990,000	\$1,050,000
297. <i>Pilot Shuttle Train Project from the Ports of Los Angeles and Long Beach to the Inland Empire</i>	\$1,600,000	\$1,650,000	\$1,750,000
298. <i>Thomasville, GA Bus Replacement</i>	\$64,000	\$66,000	\$70,000

<i>Projects</i>	<i>FY 06</i>	<i>FY 07</i>	<i>FY 08</i>
299. Corvallis, OR Bus Replacement	\$396,800	\$409,200	\$434,000
300. Geneva, New York-- Multimodal facility-- construct passenger rail center ..	\$160,000	\$165,000	\$175,000
301. Barry County, MI—Barry County Transit equipment and dispatching software	\$48,000	\$49,500	\$52,500
302. Greensboro, North Carolina—Piedmont Authority for Regional Transportation Multimodal Transportation Center	\$4,006,400	\$4,131,600	\$4,382,000
303. Howard County, MD Construct Central Maryland Transit Operations and Maintenance Facility	\$1,600,000	\$1,650,000	\$1,750,000
304. Coconino county buses and bus facilities for Flagstaff, AZ	\$24,000	\$24,750	\$26,250
305. Fund the 8.28. miles of the El Camino East-West Corridor along LA 6. from LA 485. near Robeline, LA to I-49.	\$640,000	\$660,000	\$700,000
306. Jacksonville, FL Bus Replacement	\$2,240,000	\$2,310,000	\$2,450,000
307. Los Angeles, CA Improve safety, mobility and access between LATTC, Metro line and nearby bus stops on Grand Ave between Washington and 23rd	\$160,000	\$165,000	\$175,000
308. Miami Dade, FL N.W. 7th Avenue Transit Hub	\$960,000	\$990,000	\$1,050,000
309. Elyria, OH Construct the New York Central Train Station into an intermodal transportation hub	\$655,360	\$675,840	\$716,800
310. River Parishes, LA South Central Planning and Development Commission, bus and bus facilities	\$320,000	\$330,000	\$350,000
311. Mammoth Lakes, California—Regional Transit Maintenance Facility	\$160,000	\$165,000	\$175,000
312. Roanoke, Virginia—Improve Virginian Railway Station	\$80,000	\$82,500	\$87,500
313. Solana Beach, CA—Construct Intermodal Facility ...	\$480,000	\$495,000	\$525,000

<i>Projects</i>	<i>FY 06</i>	<i>FY 07</i>	<i>FY 08</i>
314. <i>San Diego, CA Widen sidewalks and bus stop entrance, and provide diagonal parking, in the Skyline Paradise Hills neighborhood (Reo Drive)</i>	\$96,000	\$99,000	\$105,000
315. <i>Temecula, California—Intermodal Transit Facility</i>	\$160,000	\$165,000	\$175,000
316. <i>Philadelphia, Pennsylvania—SEPTA Market Street Elevated Line parking facility</i>	\$1,280,000	\$1,320,000	\$1,400,000
317. <i>Jamestown, NY Rehabilitation of Intermodal Facility and associated property</i>	\$640,000	\$660,000	\$700,000
318. <i>Akron, Ohio Construct Downtown Multi-modal Transportation Center</i>	\$1,280,000	\$1,320,000	\$1,400,000
319. <i>Detroit Bus Maintenance Facility</i>	\$2,880,000	\$2,970,000	\$3,150,000
320. <i>Detroit, MI Bus Replacement</i>	\$2,400,000	\$2,475,000	\$2,625,000
321. <i>Monterey Park, CA Catch Basins at Transit Stop Installation</i>	\$102,400	\$105,600	\$112,000
322. <i>Oneonta, New York-bus replacement</i>	\$48,000	\$49,500	\$52,500
323. <i>Lincoln County, OR bus purchase</i>	\$80,000	\$82,500	\$87,500
324. <i>Elon, North Carolina—Piedmont Authority for Regional Transportation buses and bus facilities</i>	\$384,000	\$396,000	\$420,000
325. <i>Grants Pass, OR Purchase Vehicles For Use By Josephine Community Transit ...</i>	\$54,720	\$56,430	\$59,850
326. <i>Los Angeles, CA Install permanent irrigation system and enhanced landscaping on San Fernando Valley rapid bus transitway</i>	\$960,000	\$990,000	\$1,050,000
327. <i>Cleveland, OH Construct East Side Transit Center</i>	\$960,000	\$990,000	\$1,050,000
328. <i>New Jersey Transit Community Shuttle Buses</i>	\$160,000	\$165,000	\$175,000
329. <i>Quitman, Clay, Randolph, Stewart Co., GA Bus project</i>	\$80,000	\$82,500	\$87,500
330. <i>Framingham, MA Local Intra-Framingham Transit System enhancements</i>	\$576,000	\$594,000	\$630,000
331. <i>Gettysburg, Pennsylvania—transit transfer center</i>	\$287,680	\$296,670	\$314,650

<i>Projects</i>	<i>FY 06</i>	<i>FY 07</i>	<i>FY 08</i>
332. Long Beach, CA Park and Ride facility	\$320,000	\$330,000	\$350,000
333. Oak Harbor, WA Multimodal Facility	\$320,000	\$330,000	\$350,000
334. North Bend, Washington—Park and Ride	\$256,000	\$264,000	\$280,000
335. High Point, North Carolina—Bus Terminal	\$1,920,000	\$1,980,000	\$2,100,000
336. Dallas, TX Bus Passenger Facilities	\$4,096,000	\$4,224,000	\$4,480,000
337. Island Transit, WA Operations Base Facilities Project	\$768,000	\$792,000	\$840,000
338. Bronx, NY Intermodal facility near Exit 6. of the Bronx River Parkway	\$80,000	\$82,500	\$87,500
339. East San Diego County, California—Bus Maintenance Facility Expansion	\$640,000	\$660,000	\$700,000
340. New Jersey Intermodal Facilities and Bus Rolling Stock	\$960,000	\$990,000	\$1,050,000
341. San Gabriel Valley, CA—Park and Rides	\$3,040,000	\$3,135,000	\$3,325,000
342. St. Paul, MN Union Depot Multi Modal Transit Facility	\$640,000	\$660,000	\$700,000
343. Brooklyn, NY Kings County Hospital Center	\$320,000	\$330,000	\$350,000
344. Gainesville, FL Bus Facility Expansion	\$1,280,000	\$1,320,000	\$1,400,000
345. Kansas City, MO Bus Transit Infrastructure	\$320,000	\$330,000	\$350,000
346. Phoenix, AZ Construct metro bus facility in Phoenix's West Valley	\$1,600,000	\$1,650,000	\$1,750,000
347. Eastlake, Ohio—Eastlake Stadium transit intermodal facility	\$1,360,000	\$1,402,500	\$1,487,500
348. Savannah, Georgia—Water Ferry Riverwalk intermodal facilities	\$640,000	\$660,000	\$700,000
349. Kent, OH Construct Kent State University Intermodal Facility serving students and the general public	\$320,000	\$330,000	\$350,000
350. Milwaukee, WI Rehabilitation Intermodal transportation facility at downtown Milwaukee's Amtrak Station, increase parking for bus passengers	\$1,440,000	\$1,485,000	\$1,575,000

<i>Projects</i>	<i>FY 06</i>	<i>FY 07</i>	<i>FY 08</i>
351. <i>Eastland, North Carolina—Community Transit Center</i>	\$640,000	\$660,000	\$700,000
352. <i>Oakland, CA Construct streetscape & intermodal improvements at BART Station Transit Villages</i>	\$320,000	\$330,000	\$350,000
353. <i>Suffolk County, NY Purchase four handicapped accessible vans to transport veterans to and from the VA facility in Northport</i>	\$89,600	\$92,400	\$98,000
354. <i>Norfolk, Virginia—Final Design and Construction Southside Bus Facility</i>	\$560,000	\$577,500	\$612,500
355. <i>Albany, GA Bus replacement</i>	\$96,000	\$99,000	\$105,000
356. <i>Lafayette Multimodal center, Final Phase</i>	\$960,000	\$990,000	\$1,050,000
357. <i>Athens, GA Buses and Bus Facilities</i>	\$454,400	\$468,600	\$497,000
358. <i>Cicero, Chicago Establish Transit Signal Priority, Cicero Ave., Pace Suburban Bus</i>	\$320,000	\$330,000	\$350,000
359. <i>Arlington County, VA Pentagon City Multimodal Improvements</i>	\$640,000	\$660,000	\$700,000
360. <i>Richmond, VA Design and construction for a bus operations and maintenance facility for Greater Richmond Transit Company</i>	\$480,000	\$495,000	\$525,000
361. <i>Roanoke, Virginia—Roanoke Railway and Link Passenger facility</i>	\$160,000	\$165,000	\$175,000
362. <i>Akron, OH Construct City of Akron Commuter Bus Transit Facility</i>	\$480,000	\$495,000	\$525,000
363. <i>Corning, New York—Transportation Center</i>	\$1,280,000	\$1,320,000	\$1,400,000
364. <i>Santa Monica, CA Construct intermodal park-and-ride facility at Santa Monica College campus on South Bundy Drive near Airport Avenue</i>	\$320,000	\$330,000	\$350,000
365. <i>Pace Suburban Bus, IL South Suburban BRT Mobility Network</i>	\$160,000	\$165,000	\$175,000
366. <i>Orange County, CA Transportation Projects to Encourage Use of Transit to Reduce Congestion</i>	\$320,000	\$330,000	\$350,000

<i>Projects</i>	<i>FY 06</i>	<i>FY 07</i>	<i>FY 08</i>
367. <i>Palm Beach, FL 20 New Buses for Palm Tran</i>	\$480,000	\$495,000	\$525,000
368. <i>Nassau County, NY Conduct planning and engineering for transportation system (HUB)</i>	\$2,240,000	\$2,310,000	\$2,450,000
369. <i>Norwalk, Connecticut—Pulse Point Joint Development intermodal facility</i>	\$160,000	\$165,000	\$175,000
370. <i>Salem, MA Design and Construct Salem Intermodal Transportation Center</i>	\$640,000	\$660,000	\$700,000
371. <i>Las Vegas, NV Construct Las Vegas WestCare Intermodal Facility</i>	\$80,000	\$82,500	\$87,500
372. <i>Richmond, KY Purchase buses, bus equipment, and facilities</i>	\$230,400	\$237,600	\$252,000
373. <i>Niagara Frontier Transportation Authority, NY Replacement Buses</i>	\$320,000	\$330,000	\$350,000
374. <i>Metro-Atlanta, GA MARTA Automated Smart-Card Fare Collection system</i>	\$320,000	\$330,000	\$350,000
375. <i>Monterey, CA Purchase bus equipment</i>	\$320,000	\$330,000	\$350,000
376. <i>New York City, NY Purchase Handicapped-Accessible Livery Vehicles</i>	\$320,000	\$330,000	\$350,000
377. <i>San Francisco, CA Construct San Francisco Muni Islais Creek Maintenance Facility</i>	\$1,920,000	\$1,980,000	\$2,100,000
378. <i>Indianapolis, IN Relocate and improve intermodal transportation for pedestrian and freight access to Children's Museum of Indianapolis</i>	\$4,480,000	\$4,620,000	\$4,900,000
379. <i>Ramapo, NY Transportation Safety Field Command Center (TSFCC)</i>	\$80,000	\$82,500	\$87,500
380. <i>Expand Diesel Emission Reduction Program of Gateway Cities COG</i>	\$992,000	\$1,023,000	\$1,085,000
381. <i>San Francisco, CA Redesign and renovate intermodal facility at Glen Park Community</i>	\$1,056,000	\$1,089,000	\$1,155,000
382. <i>San Luis Rey, California—Transit Center Project</i>	\$160,000	\$165,000	\$175,000

<i>Projects</i>	<i>FY 06</i>	<i>FY 07</i>	<i>FY 08</i>
383. <i>South San Francisco, CA Construction of Ferry Terminal at Oyster Point in South San Francisco to the San Francisco Bay Area Water Transit Authority</i>	\$1,600,000	\$1,650,000	\$1,750,000
384. <i>Atlanta, GA MARTA Clean Fuel Bus Acquisition</i>	\$1,920,000	\$1,980,000	\$2,100,000
385. <i>Construct a 400 space parking structure at the northwest corner of Main and Cherry Streets</i>	\$320,000	\$330,000	\$350,000
386. <i>Suffolk County, NY Design and construction of intermodal transit facility in Wyandanch</i>	\$1,280,000	\$1,320,000	\$1,400,000
387. <i>Fresno, CA—Develop program of low-emission transit vehicles</i>	\$320,000	\$330,000	\$350,000
388. <i>Sylmar, CA Los Angeles Mission College Transit Center construction</i>	\$80,000	\$82,500	\$87,500
389. <i>Lakewood, NJ—Ocean County Bus service and parking facilities</i>	\$800,000	\$825,000	\$875,000
390. <i>St. Lucie County, FL Purchase Buses</i>	\$320,000	\$330,000	\$350,000
391. <i>Hampton Roads, VA Final design and construction for a Hampton Roads Transit Southside Bus Facility</i>	\$640,000	\$660,000	\$700,000
392. <i>Oakland, CA Construct Bay Trail between Coliseum BART station and Martin Luther King, Jr. Regional Shoreline</i>	\$288,000	\$297,000	\$315,000
393. <i>South Amboy, NJ Construction of improvements to facilities at South Amboy Station under S Amboy, NJ Regional Intermodal Initiative</i>	\$2,560,000	\$2,640,000	\$2,800,000
394. <i>Hartford, CT Buses and bus-related facilities</i>	\$1,280,000	\$1,320,000	\$1,400,000
395. <i>Ilwaco, WA Construct park and ride</i>	\$32,000	\$33,000	\$35,000
396. <i>Burbank, CA Construction of Empire Area Transit Center near Burbank Airport</i>	\$80,000	\$82,500	\$87,500
397. <i>Pottsville, PA Union Street Trade and Transfer Center Intermodal Facility ..</i>	\$640,000	\$660,000	\$700,000

<i>Projects</i>	<i>FY 06</i>	<i>FY 07</i>	<i>FY 08</i>
398. <i>Amador County, California—Regional Transit Center</i>	\$320,000	\$330,000	\$350,000
399. <i>Pasadena, CA ITS Improvements</i>	\$320,000	\$330,000	\$350,000
400. <i>South FL Region, FL Regional Universal Automated Fare Collection System (UAFC) (for bus system)</i>	\$640,000	\$660,000	\$700,000
401. <i>South Pasadena, CA Silent Night Grade Crossing Project</i>	\$288,000	\$297,000	\$315,000
402. <i>Tampa, FL Establish Transit Emphasis Corridor and Improvements</i>	\$240,000	\$247,500	\$262,500
403. <i>San Francisco, CA Implement Transbay Terminal-Caltrain Downtown Extension Project</i>	\$4,480,000	\$4,620,000	\$4,900,000
404. <i>Rock Island, IL Improve Rock Island Mass Transit District Bus Facility</i>	\$160,000	\$165,000	\$175,000
405. <i>Las Vegas, NV Construct Boulder Highway BRT system and purchase vehicles and related equipment</i>	\$640,000	\$660,000	\$700,000
406. <i>Moultrie, GA Intermodal facility</i>	\$96,000	\$99,000	\$105,000
407. <i>Carson, CA Purchase one trolley-bus vehicle</i>	\$80,000	\$82,500	\$87,500
408. <i>Brooklyn, NY SUNY Downstate Medical Center</i>	\$320,000	\$330,000	\$350,000
409. <i>Alexandria, VA Eisenhower Avenue Intermodal Station Improvements, including purchase of buses and construction of bus shelters</i>	\$800,000	\$825,000	\$875,000
410. <i>Long Beach, CA Purchase ten clean fuel busses</i>	\$960,000	\$990,000	\$1,050,000
411. <i>Cleveland, OH Construction of an intermodal facility and related improvements at University Hospitals facility on Euclid Avenue</i>	\$320,000	\$330,000	\$350,000
412. <i>Nashville, TN Construct Downtown Nashville Transit Transfer Facility</i>	\$480,000	\$495,000	\$525,000

<i>Projects</i>	<i>FY 06</i>	<i>FY 07</i>	<i>FY 08</i>
<i>413. Philadelphia, PA Penn's Landing water shuttle parking lot expansion and water shuttle ramp infrastructure construction</i>	<i>\$352,000</i>	<i>\$363,000</i>	<i>\$385,000</i>
<i>414. Hercules, CA Intermodal Rail Station Improvements ..</i>	<i>\$480,000</i>	<i>\$495,000</i>	<i>\$525,000</i>

1 **SEC. 3039. NATIONAL FUEL CELL BUS TECHNOLOGY DEVELOPMENT PROGRAM.**

2
3 (a) *ESTABLISHMENT.*—*The Secretary shall establish a*
4 *national fuel cell bus technology development program (in*
5 *this section referred to as the “program”)* *to facilitate the*
6 *development of commercially viable fuel cell bus technology*
7 *and related infrastructure.*

8 (b) *GENERAL AUTHORITY.*—*The Secretary may enter*
9 *into grants, contracts, and cooperative agreements with no*
10 *more than 3 geographically diverse nonprofit organizations*
11 *and recipients under chapter 53 of title 49, United States*
12 *Code, to conduct fuel cell bus technology and infrastructure*
13 *projects under the program.*

14 (c) *GRANT CRITERIA.*—*In selecting applicants for*
15 *grants under the program, the Secretary shall consider the*
16 *applicant's—*

17 (1) *ability to contribute significantly to fur-*
18 *thering fuel cell technology as it relates to transit bus*
19 *operations, including hydrogen production, energy*

1 *storage, fuel cell technologies, vehicle systems integra-*
2 *tion, and power electronics technologies;*

3 (2) *financing plan and cost share potential;*

4 (3) *fuel cell technology to ensure that the pro-*
5 *gram advances different fuel cell technologies, includ-*
6 *ing hydrogen-fueled and methanol-powered liquid-*
7 *fueled fuel cell technologies, that may be viable for*
8 *public transportation systems; and*

9 (4) *other criteria that the Secretary determines*
10 *are necessary to carry out the program.*

11 (d) *COMPETITIVE GRANT SELECTION.*—*The Secretary*
12 *shall conduct a national solicitation for applications for*
13 *grants under the program. Grant recipients shall be selected*
14 *on a competitive basis. The Secretary shall give priority*
15 *consideration to applicants that have successfully managed*
16 *advanced transportation technology projects, including*
17 *projects related to hydrogen and fuel cell public transpor-*
18 *tation operations for a period of not less than 10 years.*

19 (e) *FEDERAL SHARE.*—*The Federal share of costs of*
20 *the program shall be provided from funds made available*
21 *to carry out this section. The Federal share of the cost of*
22 *a project carried out under the program shall not exceed*
23 *50 percent of such cost.*

24 (f) *GRANT REQUIREMENTS.*—*A grant under this sec-*
25 *tion shall be subject to—*

1 (1) *all terms and conditions applicable to a*
 2 *grant made under section 5309 of title 49, United*
 3 *States Code; and*

4 (2) *such other terms and conditions as are deter-*
 5 *mined by the Secretary.*

6 **SEC. 3040. HIGH-INTENSITY SMALL-URBANIZED AREA FOR-**
 7 **MULA GRANT PROGRAM.**

8 (a) *DEFINITIONS.—In this section, the following defi-*
 9 *initions apply:*

10 (1) *ELIGIBLE AREA.—The term “eligible area”*
 11 *means an urbanized area with a population of less*
 12 *than 200,000 that meets or exceeds in one or more*
 13 *performance categories the industry average for all*
 14 *urbanized areas with a population of at least 200,000*
 15 *but not more than 999,999, as determined by the Sec-*
 16 *retary in accordance with subsection (c)(2).*

17 (2) *PERFORMANCE CATEGORY.—The term “per-*
 18 *formance category” means each of the following:*

19 (A) *Passenger miles traveled per vehicle rev-*
 20 *enue mile.*

21 (B) *Passenger miles traveled per vehicle rev-*
 22 *enue hour.*

23 (C) *Vehicle revenue miles per capita.*

24 (D) *Vehicle revenue hours per capita.*

25 (E) *Passenger miles traveled per capita.*

1 (F) *Passengers per capita.*

2 (b) *GENERAL AUTHORITY.*—*In order to address the*
3 *needs of small urbanized areas with unusually high levels*
4 *of public transportation service, the Secretary shall make*
5 *capital and operating grants under this section to eligible*
6 *recipients described in subsection (d) for use in eligible*
7 *areas.*

8 (c) *APPORTIONMENT.*—

9 (1) *APPORTIONMENT FORMULA.*—*Funds made*
10 *available for grants under this section in a fiscal year*
11 *shall be apportioned among eligible areas in the ratio*
12 *that—*

13 (A) *the number of performance categories*
14 *for which each eligible area meets or exceeds the*
15 *industry average in urbanized areas with a pop-*
16 *ulation of at least 200,000 but not more than*
17 *999,999; bears to*

18 (B) *the aggregate number of performance*
19 *categories for which all eligible areas meet or ex-*
20 *ceed the industry average in urbanized areas*
21 *with a population of at least 200,000 but not*
22 *more than 999,999.*

23 (2) *DATA USED IN FORMULA.*—*The Secretary*
24 *shall calculate apportionments under this subsection*
25 *for a fiscal year using data from the national transit*

1 *database used to calculate apportionments for that*
2 *fiscal year under section 5336 of title 49, United*
3 *States Code.*

4 *(d) ELIGIBLE RECIPIENT.—Grant amounts appor-*
5 *tioned to an eligible area under this section shall be made*
6 *available to a public transportation agency or other govern-*
7 *mental entity in the eligible area for obligation in the eligi-*
8 *ble area.*

9 *(e) GOVERNMENT'S SHARE OF COSTS.—*

10 *(1) CAPITAL GRANTS.—A grant for a capital*
11 *project under this section (including associated cap-*
12 *ital maintenance items) shall be for 80 percent of the*
13 *net capital costs of the project, as determined by the*
14 *Secretary. The recipient may provide additional local*
15 *matching amounts for such projects.*

16 *(2) OPERATING GRANTS.—A grant under this*
17 *section for operating assistance may not exceed 50*
18 *percent of the net operating costs of the project, as de-*
19 *termined by the Secretary.*

20 *(3) REMAINDER.—The remainder of the net*
21 *project costs may be provided from an undistributed*
22 *cash surplus, a replacement or depreciation cash fund*
23 *or reserve, or new capital.*

24 *(f) PERIOD OF AVAILABILITY.—Funds apportioned*
25 *under this section to an eligible area shall remain available*

1 *for obligation in that eligible area for a period of 3 years*
2 *after the last day of the fiscal year for which the funds are*
3 *apportioned. Any amounts so apportioned that remain un-*
4 *obligated at the end of that period shall be added to the*
5 *amount that may be apportioned under this section in the*
6 *next fiscal year.*

7 (g) *APPLICATION OF OTHER SECTIONS.—Sections*
8 *5302, 5318, 5323, 5332, 5333, and 5336(e) of title 49,*
9 *United States Code, apply to this section and to a grant*
10 *made under this section.*

11 (h) *FUNDING.—Of the amounts made available to*
12 *carry out section 5307 of title 49, United States Code,*
13 *\$38,000,000 for fiscal year 2005, \$41,000,000 for fiscal year*
14 *2006, \$44,000,000 for fiscal year 2007, \$47,000,000 for fis-*
15 *cal year 2008, and \$50,000,000 for fiscal year 2009 shall*
16 *be available to carry out this section.*

17 (i) *TECHNICAL AMENDMENTS.—Section 5336 is*
18 *amended—*

19 (1) *in subsection (a)—*

20 (A) *by striking “of this title” and inserting*
21 *“to carry out section 5307”; and*

22 (B) *in paragraph (2) by inserting before the*
23 *period at the end the following: “, except that the*
24 *amount apportioned to the Anchorage urbanized*
25 *area under subsection (b) shall be available to*

1 *the Alaska Railroad for any costs related to its*
2 *passenger operations”;*

3 (2) *in subsection (b)(1) by inserting “and the*
4 *Alaska Railroad passenger operations” after “recipi-*
5 *ent”;*

6 (3) *in subsection (j) by striking “a grant made*
7 *under” each place it appears and inserting “a grant*
8 *made with funds apportioned under”;* and

9 (4) *in subsection (k)(1) by striking “section*
10 *5302(a)(13) of this title” and inserting “section*
11 *5302(a)”.*

12 **SEC. 3041. ALLOCATIONS FOR NATIONAL RESEARCH AND**
13 **TECHNOLOGY PROGRAMS.**

14 (a) *IN GENERAL.—Amounts appropriated pursuant to*
15 *section 5338(d) of title 49, United States Code, for national*
16 *research and technology programs under sections 5312,*
17 *5314, and 5322 of such title shall be allocated by the Sec-*
18 *retary as follows:*

19 (1) *SAFETY AND EMERGENCY PREPAREDNESS.—*

20 (A) *IN GENERAL.—For carrying out safety*
21 *and emergency preparedness research activities*
22 *consisting of technical assistance, training, and*
23 *data analysis and reporting to improve public*
24 *transportation system safety and security and*
25 *emergency preparedness—*

- 1 (i) \$7,000,000 for fiscal year 2005;
2 (ii) \$7,400,000 for fiscal year 2006;
3 (iii) \$7,800,000 for fiscal year 2007;
4 (iv) \$8,200,000 for fiscal year 2008;
5 and
6 (v) \$8,700,000 for fiscal year 2009.

7 (B) *PUBLIC TRANSPORTATION NATIONAL SE-*
8 *CURITY STUDY.*—

9 (i) *IN GENERAL.*—Not later than 6
10 months after the date of enactment of this
11 Act, the Secretary shall enter into an agree-
12 ment with the National Academy of
13 Sciences to conduct a study and evaluation
14 of the value major public transportation
15 systems in the United States serving the 38
16 urbanized areas that have a population of
17 more than 1,000,000 individuals provide to
18 the Nation's security and the ability of such
19 systems to accommodate the evacuation,
20 egress or ingress of people to or from critical
21 locations in times of emergency.

22 (ii) *ALTERNATIVE ROUTES.*—For each
23 system described in clause (i) the study
24 shall identify—

1 (I) *potential alternative routes for*
2 *evacuation using other transportation*
3 *modes such as highway, air, marine,*
4 *and pedestrian activities; and*

5 (II) *transit routes that, if dis-*
6 *rupted, do not have sufficient transit*
7 *alternatives available.*

8 (iii) *REPORT.*—*Not later than 24*
9 *months after the date of entry into the*
10 *agreement, the Academy shall submit to the*
11 *Secretary and the Committee on Transpor-*
12 *tation and Infrastructure of the House of*
13 *Representatives and the Committee on*
14 *Banking, Housing and Urban Affairs of the*
15 *Senate a final report on the results of the*
16 *study and evaluation, together with such*
17 *recommendations as the Academy considers*
18 *appropriate.*

19 (iv) *FUNDING.*—*Of the amounts made*
20 *available under section 5338(d) of title 49,*
21 *United States Code, \$250,000 shall be avail-*
22 *able for each of fiscal years 2005 and 2006*
23 *to carry out this subparagraph.*

24 (2) *EQUIPMENT AND INFRASTRUCTURE.*—*For*
25 *carrying out equipment and infrastructure research*

1 *activities on public transportation and infrastructure*
 2 *technologies and methods and voluntary industry*
 3 *standards development—*

4 (A) \$5,700,000 for fiscal year 2005;

5 (B) \$6,200,000 for fiscal year 2006;

6 (C) \$6,550,000 for fiscal year 2007;

7 (D) \$6,900,000 for fiscal year 2008; and

8 (E) \$7,200,000 for fiscal year 2009.

9 (3) *PUBLIC TRANSPORTATION OPERATIONS EFFI-*
 10 *CIENCY.—For carrying out public transportation op-*
 11 *erations efficiency research activities on high-perform-*
 12 *ance public transportation services and other innova-*
 13 *tions in fleet operations and maintenance—*

14 (A) \$4,700,000 for fiscal year 2005;

15 (B) \$4,900,000 for fiscal year 2006;

16 (C) \$5,200,000 for fiscal year 2007;

17 (D) \$5,500,000 for fiscal year 2008; and

18 (E) \$5,800,000 for fiscal year 2009.

19 (4) *ENERGY INDEPENDENCE AND ENVIRON-*
 20 *MENTAL PROTECTION.—*

21 (A) *IN GENERAL.—For carrying out energy*
 22 *independence and environmental protection re-*
 23 *search activities on improved public transpor-*
 24 *tation energy use and propulsion systems and*
 25 *public transportation oriented development—*

- 1 (i) \$3,700,000 for fiscal year 2005;
2 (ii) \$3,900,000 for fiscal year 2006;
3 (iii) \$4,150,000 for fiscal year 2007;
4 (iv) \$4,300,000 for fiscal year 2008;
5 and
6 (v) \$4,300,000 for fiscal year 2009.

7 (B) *TRANSIT-ORIENTED DEVELOPMENT CEN-*
8 *TER.—Of the funds allocated for each of fiscal*
9 *years 2005 through 2009 under subparagraph*
10 *(A), not less than \$1,000,000 shall be made*
11 *available by the Secretary for establishment and*
12 *operation of a national center for transit-ori-*
13 *ented development—*

14 (i) *to develop standards and defini-*
15 *tions for transit-oriented development adja-*
16 *cent to public transportation facilities;*

17 (ii) *to develop system planning guid-*
18 *ance, performance criteria, and modeling*
19 *techniques for metropolitan planning agen-*
20 *cies and public transportation agencies to*
21 *maximize ridership through land use plan-*
22 *ning and adjacent development; and*

23 (iii) *to provide research support and*
24 *technical assistance to public transportation*
25 *agencies, metropolitan planning agencies,*

1 *and other persons regarding transit-oriented*
2 *development.*

3 (5) *MOBILITY MANAGEMENT.*—

4 (A) *IN GENERAL.*—*For carrying out re-*
5 *search activities on mobility management, as de-*
6 *scribed in section 5302(a)(1) of title 49, United*
7 *States Code—*

8 (i) *\$7,000,000 for fiscal year 2005;*

9 (ii) *\$7,400,000 for fiscal year 2006;*

10 (iii) *\$7,800,000 for fiscal year 2007;*

11 (iv) *\$8,200,000 for fiscal year 2008;*

12 *and*

13 (v) *\$8,700,000 for fiscal year 2009.*

14 (B) *TRANSPORTATION EQUITY RESEARCH*
15 *PROGRAM.*—*Of the funds allocated for each of fis-*
16 *cal years 2005 through 2009 under subpara-*
17 *graph (A), not less than \$1,000,000 shall be*
18 *made available by the Secretary for research and*
19 *demonstration activities that focus on the im-*
20 *pacts that transportation planning, investment,*
21 *and operations have on low-income and minor-*
22 *ity populations that are transit dependent. Such*
23 *activities shall include the development of strate-*
24 *gies to advance economic and community devel-*
25 *opment in low-income and minority commu-*

1 *nities and the development of training programs*
2 *that promote the employment of low-income and*
3 *minority community residents on Federal-aid*
4 *transportation projects constructed in their com-*
5 *munities.*

6 (C) *COGNITIVE IMPAIRMENT STUDY.*—*Of the*
7 *funds allocated for fiscal year 2005 under sub-*
8 *paragraph (A), \$1,000,000 shall be made avail-*
9 *able by the Secretary for research and dem-*
10 *onstration activities that focus on the capacity*
11 *and resources of Oregon public transportation*
12 *systems to address the needs, barriers, and de-*
13 *sires for travel of people with cognitive impair-*
14 *ments.*

15 (6) *PUBLIC TRANSPORTATION CAPACITY BUILD-*
16 *ING.*—

17 (A) *IN GENERAL.*—*For carrying out public*
18 *transportation capacity building activities con-*
19 *sisting of workforce and industry development,*
20 *the International Mass Transportation Program,*
21 *and technology transfer and industry adoption*
22 *activities—*

23 (i) *\$2,400,000 for fiscal year 2005;*

24 (ii) *\$2,500,000 for fiscal year 2006;*

25 (iii) *\$2,600,000 for fiscal year 2007;*

1 (iv) \$2,700,000 for fiscal year 2008;

2 and

3 (v) \$3,000,000 for fiscal year 2009.

4 (B) *TRANSIT CAREER LADDER TRAINING*
5 *PROGRAM.—Of the funds allocated for each fiscal*
6 *year under subparagraph (A), not less than*
7 *\$1,000,000 shall be available for a nationwide*
8 *career ladder job training partnership program*
9 *for public transportation employees to respond to*
10 *technological changes in the public transpor-*
11 *tation industry, especially in the area of mainte-*
12 *nance. Such program shall be carried out by the*
13 *Secretary through a contract with a national*
14 *nonprofit organization with a demonstrated ca-*
15 *capacity to develop and provide such programs.*

16 (7) *STRATEGIC PLANNING AND PERFORMANCE*
17 *MEASURES.—For carrying out strategic planning and*
18 *performance measures consisting of policy and pro-*
19 *gram development, research program planning and*
20 *performance, evaluation, and industry outreach—*

21 (A) \$3,500,000 for fiscal year 2005;

22 (B) \$3,700,000 for fiscal year 2006;

23 (C) \$4,000,000 for fiscal year 2007;

24 (D) \$4,200,000 for fiscal year 2008; and

25 (E) \$4,300,000 for fiscal year 2009.

1 (b) *REMAINDER.*—After making allocations under sub-
2 section (a) of this section and section 5338(d)(2) of title
3 49, United States Code, the remainder of funds made avail-
4 able by section 5338(d)(2) of such title for national research
5 and technology programs under sections 5312, 5314, and
6 5322 for a fiscal year shall be allocated at the discretion
7 of the Secretary to other transit research, development, dem-
8 onstration and deployment projects authorized by sections
9 5312, 5314, and 5322 of such title.

10 **SEC. 3042. RELATIONSHIP TO OTHER LAWS.**

11 Section 5323(l) is amended to read as follows:

12 “(l) *RELATIONSHIP TO OTHER LAWS.*—Section 1001
13 of title 18 applies to a certificate, submission, or statement
14 provided under this chapter. The Secretary may terminate
15 financial assistance under this chapter and seek reimburse-
16 ment directly, or by offsetting amounts, available under this
17 chapter, when a false or fraudulent statement or related act
18 within the meaning of such section 1001 is made in connec-
19 tion with a Federal transit program.”.

20 **SEC. 3043. COOPERATIVE PROCUREMENT.**

21 (a) *REVIEW OF COOPERATIVE PROCUREMENT; AU-*
22 *THORITY TO INCREASE FEDERAL SHARE.*—

23 (1) *IN GENERAL.*—Not later than 6 months after
24 the date of enactment of this Act, the Secretary shall
25 undertake a 30-day review of efforts to use cooperative

1 *procurement to determine whether benefits are suffi-*
2 *cient to formally incorporate cooperative procurement*
3 *into the mass transit program. In particular the Sec-*
4 *retary shall review the progress made under the pilot*
5 *program authorized under section 166 of division F*
6 *of the Consolidated Appropriations Act, 2004 (49*
7 *U.S.C. 5397 note; 118 Stat. 309), based on experience*
8 *to date in the pilot program and any available re-*
9 *ports to Congress submitted under such section 166.*
10 *The Secretary shall also consider information gath-*
11 *ered from grantees about cooperative procurement,*
12 *whether or not related to the pilot program.*

13 (2) *NOTIFICATION OF CONGRESS.—The Secretary*
14 *shall notify the Committee on Transportation and In-*
15 *frastructure of the House of Representatives and the*
16 *Committee on Banking, Housing, and Urban Affairs*
17 *of the Senate of the results of the review required*
18 *under paragraph (1), including a finding of sufficient*
19 *benefit or insufficient benefit and the reasons for that*
20 *finding.*

21 **SEC. 3044. OBLIGATION CEILING.**

22 *Notwithstanding any other provision of law, the total*
23 *of all obligations from amounts made available from the*
24 *Mass Transit Account of the Highway Trust Fund by, and*
25 *amounts appropriated under, subsections (a) through (f) of*

1 *section 5338 of title 49, United States Code, shall not ex-*
2 *ceed—*

3 (1) \$7,266,000,000 for fiscal year 2004;

4 (2) \$7,646,300,000 for fiscal year 2005;

5 (3) \$8,482,000,000 for fiscal year 2006;

6 (4) \$9,042,000,000 for fiscal year 2007;

7 (5) \$9,639,000,000 for fiscal year 2008; and

8 (6) \$10,277,000,000 for fiscal year 2009.

9 **SEC. 3045. ADJUSTMENTS FOR THE SURFACE TRANSPOR-**
10 **TATION EXTENSION ACT OF 2004, PART V.**

11 (a) *IN GENERAL.*—Notwithstanding any other provi-
12 sion of law, the Secretary shall ensure that the total appor-
13 tionments and allocations made to a designated grant re-
14 cipient under section 5338 of title 49, United States Code,
15 for fiscal year 2005 shall be reduced by the amount appor-
16 tioned to such designated recipient pursuant to section 8
17 of the Surface Transportation Extension Act of 2004, Part
18 V.

19 (b) *FIXED GUIDEWAY MODERNIZATION ADJUST-*
20 *MENT.*—In making the apportionments described in sub-
21 section (a), the Secretary shall adjust the amount appor-
22 tioned to each urbanized area for fixed guideway mod-
23 ernization for fiscal year 2005 to reflect the method for ap-
24 portioning funds in section 5337(a) of title 49, United
25 States Code.

1 **SEC. 3046. SPECIAL RULE FOR FISCAL YEAR 2004.**

2 *In any case in which an amount is authorized to be*
3 *appropriated, made available, allocated, set aside, taken*
4 *down, or subject to an obligation limitation for fiscal year*
5 *2004 for a program, project, or activity in any provision*
6 *of this title, including an amendment made by this title,*
7 *that is different than the amount authorized to be appro-*
8 *priated, made available, allocated, set aside, taken down,*
9 *or subject to an obligation limitation for fiscal year 2004*
10 *for such program, project, or activity in any provision of*
11 *the Surface Transportation Extension Act of 2004, Part IV*
12 *(Public Law 108–280), including any amendment made by*
13 *such Act, the amount referred to in such Act shall be the*
14 *amount authorized to be appropriated, made available, al-*
15 *located, set aside, taken down, or subject to an obligation*
16 *limitation.*

17 **TITLE IV—MOTOR CARRIER**
18 **TRANSPORTATION AND SAFETY**
19 **Subtitle A—Commercial Motor**
20 **Vehicle Safety**

21 **SEC. 4101. AUTHORIZATION OF APPROPRIATIONS.**

22 *(a) ADMINISTRATIVE EXPENSES.—Section 31104 of*
23 *title 49, United States Code, is amended by adding the fol-*
24 *lowing at the end:*

25 *“(i) ADMINISTRATIVE EXPENSES.—*

1 “(1) *AUTHORIZATION OF APPROPRIATIONS.*—
2 *There are authorized to be appropriated from the*
3 *Highway Trust Fund (other than the Mass Transit*
4 *Account) for the Secretary of Transportation to pay*
5 *administrative expenses of the Federal Motor Carrier*
6 *Safety Administration—*

7 “(A) \$173,450,000 for fiscal year 2004;

8 “(B) \$254,849,000 for fiscal year 2005;

9 “(C) \$215,000,000 for fiscal year 2006;

10 “(D) \$230,000,000 for fiscal year 2007;

11 “(E) \$234,000,000 for fiscal year 2008; and

12 “(F) \$240,000,000 for fiscal year 2009.

13 “(2) *USE OF FUNDS.*—*The funds authorized by*
14 *this subsection shall be used for personnel costs; ad-*
15 *ministrative infrastructure; rent; information tech-*
16 *nology; programs for research and technology, infor-*
17 *mation management, regulatory development (includ-*
18 *ing a medical review board), the administration of*
19 *the performance and registration information system*
20 *management, and outreach and education; other oper-*
21 *ating expenses; and such other expenses as may from*
22 *time to time become necessary to implement statutory*
23 *mandates of the Administration not funded from*
24 *other sources.*

1 “(3) *PERIOD OF AVAILABILITY.*—*The amounts*
2 *made available under this section shall remain avail-*
3 *able until expended.*

4 “(4) *INITIAL DATE OF AVAILABILITY.*—*Author-*
5 *izations from the Highway Trust Fund (other than*
6 *the Mass Transit Account) to carry out subtitle IV,*
7 *part B, and subtitle VI, part B, of this title, or the*
8 *provisions of title IV of the Transportation Equity*
9 *Act: A Legacy for Users, shall be available for obliga-*
10 *tion on the date of their apportionment or allocation*
11 *or on October 1 of the fiscal year for which they are*
12 *authorized, whichever occurs first.*

13 “(5) *CONTRACT AUTHORITY.*—*Approval by the*
14 *Secretary of a grant with funds made available under*
15 *paragraph (4) imposes upon the United States a con-*
16 *tractual obligation for payment of the Government’s*
17 *share of costs incurred in carrying out the objectives*
18 *of the grant.”.*

19 “(b) *GRANT PROGRAMS.*—*There are authorized to be*
20 *appropriated from the Highway Trust Fund (other than*
21 *the Mass Transit Account) the following sums for the fol-*
22 *lowing Federal Motor Carrier Safety Administration pro-*
23 *grams:*

24 (1) *For commercial driver’s license program im-*
25 *provement grants under section 31313 of title 49,*

1 *United States Code* \$26,000,000 for each of fiscal
2 *years 2006 through 2009.*

3 (2) *For border enforcement grants under section*
4 *31107 of such title—*

5 (A) *\$32,000,000 for fiscal year 2006;*

6 (B) *\$32,000,000 for fiscal year 2007;*

7 (C) *\$32,000,000 for fiscal year 2008; and*

8 (D) *\$32,000,000 for fiscal year 2009.*

9 (3) *For the performance and registration infor-*
10 *mation system management grant program under sec-*
11 *tion 31109 of such title—*

12 (A) *\$5,000,000 for fiscal year 2006;*

13 (B) *\$5,000,000 for fiscal year 2007;*

14 (C) *\$6,000,000 for fiscal year 2008; and*

15 (D) *\$6,000,000 for fiscal year 2009.*

16 (4) *COMMERCIAL VEHICLE INFORMATION SYS-*
17 *TEMS AND NETWORKS DEPLOYMENT.—For carrying*
18 *out the commercial vehicle information systems and*
19 *networks deployment program under section 4009 of*
20 *this Act, \$25,000,000 for each of fiscal years 2006*
21 *through 2009.*

22 (c) *PERIOD OF AVAILABILITY.—The amounts made*
23 *available under subsection (b) of this section shall remain*
24 *available until expended.*

1 (d) *INITIAL DATE OF AVAILABILITY.*—Amounts au-
2 *thorized to be appropriated from the Highway Trust Fund*
3 *(other than the Mass Transit Account) by subsection (b)*
4 *shall be available for obligation on the date of their appor-*
5 *tionment or allocation or on October 1 of the fiscal year*
6 *for which they are authorized, whichever occurs first.*

7 (e) *CONTRACT AUTHORITY.*—Approval by the Sec-
8 *retary of a grant with funds made available under sub-*
9 *section (b) imposes upon the United States a contractual*
10 *obligation for payment of the Government’s share of costs*
11 *incurred in carrying out the objectives of the grant.*

12 **SEC. 4102. MOTOR CARRIER SAFETY GRANTS.**

13 (a) *STATE PLAN CONTENTS.*—Section 31102(b)(1) of
14 *title 49, United States Code, is amended—*

15 (1) *by striking subparagraph (A) and inserting*
16 *the following:*

17 “(A) *implements performance-based activities,*
18 *including deployment of technology to enhance the ef-*
19 *iciency and effectiveness of commercial motor vehicle*
20 *safety programs;”;*

21 (2) *by striking subparagraph (Q) and inserting*
22 *the following:*

23 “(Q) *provides that the State has established a*
24 *program to ensure accurate, complete, and timely*
25 *motor carrier safety data is collected and reported to*

1 *the Secretary and that the State will participate in*
2 *a national motor carrier safety data correction sys-*
3 *tem prescribed by the Secretary;”;*

4 *(3) by aligning subparagraph (R) with subpara-*
5 *graph (S);*

6 *(4) by striking “and” at the end of subpara-*
7 *graph (S);*

8 *(5) by striking the period at the end of subpara-*
9 *graph (T) and inserting a semicolon; and*

10 *(6) by adding at the end the following:*

11 *“(U) provides that the State will include in the*
12 *training manual for the licensing examination to*
13 *drive a noncommercial motor vehicle and a commer-*
14 *cial motor vehicle, information on best practices for*
15 *driving safely in the vicinity of commercial motor ve-*
16 *hicles and in the vicinity of noncommercial motor ve-*
17 *hicles, respectively;*

18 *“(V) provides that the State will enforce the reg-*
19 *istration requirements of section 13902 by prohibiting*
20 *the operation of any vehicle discovered to be operated*
21 *by a motor carrier without a registration issued*
22 *under such section or to be operating beyond the scope*
23 *of such registration; and*

24 *“(W) provides that the State will conduct com-*
25 *prehensive and highly visible traffic enforcement and*

1 *commercial motor vehicle safety inspection programs*
2 *in high-risk locations and corridors.”.*

3 ***(b) USE OF GRANTS TO ENFORCE OTHER LAWS.—****Sec-*
4 *tion 31102 of such title is amended—*

5 *(1) by striking subsection (c) and inserting the*
6 *following:*

7 ***“(c) USE OF GRANTS TO ENFORCE OTHER LAWS.—***
8 *A State may use amounts received under a grant under*
9 *subsection (a)—*

10 *“(1) for the following activities if the activities*
11 *are carried out in conjunction with an appropriate*
12 *inspection of the commercial motor vehicle to enforce*
13 *Government or State commercial motor vehicle safety*
14 *regulations:*

15 *“(A) enforcement of commercial motor vehi-*
16 *cle size and weight limitations at locations other*
17 *than fixed weight facilities, at specific locations*
18 *such as steep grades or mountainous terrains*
19 *where the weight of a commercial motor vehicle*
20 *can significantly affect the safe operation of the*
21 *vehicle, or at ports where intermodal shipping*
22 *containers enter and leave the United States;*
23 *and*

24 *“(B) detection of the unlawful presence of a*
25 *controlled substance (as defined under section*

1 *102 of the Comprehensive Drug Abuse Prevention*
2 *and Control Act of 1970 (21 U.S.C. 802)) in a*
3 *commercial motor vehicle or on the person of any*
4 *occupant (including the operator) of the vehicle;*
5 *and*

6 *“(2) for documented enforcement of State traffic*
7 *laws and regulations designed to promote the safe op-*
8 *eration of commercial motor vehicles, including docu-*
9 *mented enforcement of such laws and regulations re-*
10 *lating to noncommercial motor vehicles when nec-*
11 *essary to promote the safe operation of commercial*
12 *motor vehicles if the number of roadside safety inspec-*
13 *tions conducted in the State is maintained at a level*
14 *at least equal to the average number conducted in the*
15 *State in fiscal years 2001, 2002, and 2003; except*
16 *that the State may not use more than 5 percent of the*
17 *aggregate amount the State receives under the grant*
18 *under subsection (a) for enforcement activities relat-*
19 *ing to noncommercial motor vehicles described in this*
20 *paragraph.”; and*

21 *(2) by adding at the end the following:*

22 *“(e) ANNUAL REPORT.—The Secretary shall submit to*
23 *the Committee on Transportation and Infrastructure of the*
24 *House of Representatives and the Committee on Commerce,*
25 *Science and Transportation of the Senate an annual report*

1 *that describes the effect of activities carried out with funds*
2 *from grants made under this section on commercial motor*
3 *vehicle safety.”.*

4 (c) *AUTHORIZATION OF APPROPRIATIONS.—Section*
5 *31104(a) of such title is amended to read as follows:*

6 “(a) *IN GENERAL.—Subject to subsection (f), there are*
7 *authorized to be appropriated from the Highway Trust*
8 *Fund (other than the Mass Transit Account) to carry out*
9 *section 31102—*

10 “(1) *\$188,852,000 for fiscal year 2004;*

11 “(2) *\$188,480,000 for fiscal year 2005;*

12 “(3) *\$188,000,000 for fiscal year 2006;*

13 “(4) *\$197,000,000 for fiscal year 2007;*

14 “(5) *\$202,000,000 for fiscal year 2008; and*

15 “(6) *\$209,000,000 for fiscal year 2009.”.*

16 (d) *NEW ENTRANT AUDITS.—Section 31104(f) of such*
17 *title is amended—*

18 (1) *in paragraph (1) by striking “deduction*
19 *under subsection (e)” and inserting “deductions*
20 *under subsection (e) and paragraphs (2) and (3)”;*

21 (2) *the first sentence of paragraph (2)(A)—*

22 (A) *by striking “or”; and*

23 (B) *by inserting after “technologies” the fol-*
24 *lowing: “, or improve the quality and accuracy*
25 *of data provided by the State”;*

1 (3) *in paragraph (2)—*

2 (A) *by striking “and border activities.—”*
3 *and all that follows through “5 percent” and in-*
4 *serting “activities.—The Secretary may des-*
5 *ignate up to 10 percent”; and*

6 (B) *by striking subparagraph (B); and*

7 (4) *by adding at the end the following:*

8 “(3) *NEW ENTRANT AUDITS.—The Secretary*
9 *may deduct up to \$15,000,000 of the amounts avail-*
10 *able under subsection (a) for a fiscal year for audits*
11 *of new entrant motor carriers under section*
12 *31144(g).”.*

13 (e) *TECHNICAL AMENDMENTS.—Sections 31102(b)(3)*
14 *and 31103(a) of such title are amended by striking*
15 *“(1)(D)” and inserting “(1)(E)”.*

16 **SEC. 4103. BORDER ENFORCEMENT GRANTS.**

17 (a) *IN GENERAL.—Chapter 311 of title 49, United*
18 *States Code, is amended—*

19 (1) *by striking the heading for subchapter I and*
20 *inserting the following:*

21 “*SUBCHAPTER I—GENERAL AUTHORITY AND*
22 *STATE GRANTS*”; *and*

23 (2) *by striking section 31107 and inserting the*
24 *following:*

1 **“§31107. Border enforcement grants**

2 “(a) *GENERAL AUTHORITY.*—*The Secretary of Trans-*
3 *portation may make a grant in a fiscal year to a State*
4 *that shares a land border with another country for carrying*
5 *out border commercial motor vehicle safety programs and*
6 *related enforcement activities and projects.*

7 “(b) *MAINTENANCE OF EXPENDITURES.*—*The Sec-*
8 *retary may make a grant to a State under this section only*
9 *if the State agrees that the total expenditure of amounts*
10 *of the State and political subdivisions of the State, exclusive*
11 *of amounts from the United States, for carrying out border*
12 *commercial motor vehicle safety programs and related en-*
13 *forcement activities and projects will be maintained at a*
14 *level at least equal to the average level of that expenditure*
15 *by the State and political subdivisions of the State for the*
16 *last 2 fiscal years of the State ending before the date of*
17 *enactment of the Transportation Equity Act: A Legacy for*
18 *Users.*

19 “(c) *GOVERNMENTS SHARE OF COSTS.*—*The Secretary*
20 *shall reimburse a State under a grant made under this sec-*
21 *tion an amount that is not more than 100 percent of the*
22 *costs incurred by the State in a fiscal year for carrying*
23 *out border commercial motor vehicle safety programs and*
24 *related enforcement activities and projects.*

25 “(d) *AVAILABILITY AND REALLOCATION OF*
26 *AMOUNTS.*—*Allocations to a State remain available for ex-*

1 *penditure in the State for the fiscal year in which they are*
 2 *allocated and for the next fiscal year. Amounts not expended*
 3 *by a State during those 2 fiscal years are available to the*
 4 *Secretary for reallocation under this section.”.*

5 *(b) CONFORMING AMENDMENTS.—*

6 *(1) ITEM RELATING TO SUBCHAPTER I.—The*
 7 *analysis for such chapter is amended by striking the*
 8 *item relating to subchapter I and inserting the fol-*
 9 *lowing:*

“SUBCHAPTER I—GENERAL AUTHORITY AND STATE GRANTS”.

10 *(2) ITEM RELATING TO SECTION 31107.—The*
 11 *analysis for such chapter is amended by striking the*
 12 *item relating to section 31107 and inserting the fol-*
 13 *lowing:*

“31107. Border enforcement grants.”.

14 **SEC. 4104. COMMERCIAL DRIVER’S LICENSE IMPROVE-**
 15 **MENTS.**

16 *(a) STATE GRANTS.—Chapter 313 of title 49, United*
 17 *States Code, is amended by inserting after section 31312*
 18 *the following:*

19 **“§31313. Grants for commercial driver’s license pro-**
 20 **gram improvements**

21 *“(a) GRANTS FOR COMMERCIAL DRIVER’S LICENSE*
 22 *PROGRAM IMPROVEMENTS.—*

1 “(1) *GENERAL AUTHORITY.*—*The Secretary of*
2 *Transportation may make a grant to a State in a fis-*
3 *cal year—*

4 “(A) *to comply with the requirements of sec-*
5 *tion 31311; and*

6 “(B) *in the case of a State that is in sub-*
7 *stantial compliance with the requirements of sec-*
8 *tion 31311 and this section, to improve its im-*
9 *plementation of its commercial driver’s license*
10 *program.*

11 “(2) *PURPOSES FOR WHICH GRANTS MAY BE*
12 *USED.*—*A State may use grants under paragraphs*
13 *(1)(A) and (1)(B) only for expenses directly related to*
14 *its compliance with section 31311; except that a grant*
15 *under paragraph (1)(B) may be used for improving*
16 *implementation of the State’s commercial driver’s li-*
17 *cence program, including expenses for computer hard-*
18 *ware and software, publications, testing, personnel,*
19 *training, and quality control. The grant may not be*
20 *used to rent, lease, or buy land or buildings.*

21 “(3) *APPLICATION.*—*In order to receive a grant*
22 *under this section, a State must submit an applica-*
23 *tion for such grant that is in such form, and contains*
24 *such information, as the Secretary may require. The*

1 *application shall include the State’s assessment of its*
2 *commercial drivers license program.*

3 “(4) *MAINTENANCE OF EXPENDITURES.—The*
4 *Secretary may make a grant to a State under this*
5 *subsection only if the State agrees that the total ex-*
6 *penditure of amounts of the State and political sub-*
7 *divisions of the State, exclusive of amounts from the*
8 *United States, for the State’s commercial driver’s li-*
9 *cence program will be maintained at a level at least*
10 *equal to the average level of that expenditure by the*
11 *State and political subdivisions of the State for the*
12 *last 2 fiscal years of the State ending before the date*
13 *of enactment of the Transportation Equity Act: A*
14 *Legacy for Users.*

15 “(5) *GOVERNMENT SHARE.—The Secretary shall*
16 *reimburse a State under a grant made under this*
17 *subsection an amount that is not more than 80 per-*
18 *cent of the costs incurred by the State in a fiscal year*
19 *in complying with section 31311 and improving its*
20 *implementation of its commercial driver’s license pro-*
21 *gram. In determining such costs, the Secretary shall*
22 *include in-kind contributions by the State. Amounts*
23 *required to be expended by the State under paragraph*
24 *(4) may not be included as part of the non-Federal*
25 *share of such costs.*

1 “(b) *HIGH-PRIORITY ACTIVITIES.*—

2 “(1) *GRANTS FOR NATIONAL CONCERNS.*—*The*
 3 *Secretary may make a grant to a State agency, local*
 4 *government, or other person for 100 percent of the*
 5 *costs of research, development, demonstration projects,*
 6 *public education, and other special activities and*
 7 *projects relating to commercial driver licensing and*
 8 *motor vehicle safety that are of benefit to all jurisdic-*
 9 *tions of the United States or are designed to address*
 10 *national safety concerns and circumstances.*

11 “(2) *FUNDING.*—*The Secretary may deduct up to*
 12 *10 percent of the amounts made available to carry*
 13 *out this section for a fiscal year to make grants under*
 14 *this subsection.”.*

15 (b) *CONFORMING AMENDMENT.*—*The analysis for such*
 16 *chapter is amended by inserting after the item relating to*
 17 *section 31312 the following:*

“31313. *Grants for commercial driver’s license program improvements.”.*

18 (c) *AMOUNTS WITHHELD.*—*Subsections (a) and (b) of*
 19 *section 31314 of such title are each amended by inserting*
 20 *“up to” after “withhold”.*

21 **SEC. 4105. HOBBS ACT.**

22 (a) *JURISDICTION OF COURT OF APPEALS OVER COM-*
 23 *MERCIAL MOTOR VEHICLE SAFETY REGULATION AND OP-*
 24 *ERATORS AND MOTOR CARRIER SAFETY.*—*Section*
 25 *2342(3)(A) of title 28, United States Code, is amended by*

1 *inserting before “of title 49” the following: “, subchapter*
 2 *III of chapter 311, chapter 313, or chapter 315”.*

3 (b) *JUDICIAL REVIEW.*—Section 351(a) of title 49,
 4 *United States Code, is amended by striking “Federal High-*
 5 *way Administration” and inserting “Federal Motor Carrier*
 6 *Safety Administration”.*

7 (c) *AUTHORITY TO CARRY OUT CERTAIN TRANS-*
 8 *FERRED DUTIES AND POWERS.*—Section 352 of title 49,
 9 *United States Code, is amended by striking “Federal High-*
 10 *way Administration” and inserting “Federal Motor Carrier*
 11 *Safety Administration”.*

12 **SEC. 4106. PENALTY FOR DENIAL OF ACCESS TO RECORDS.**

13 Section 521(b) of title 49, *United States Code, is*
 14 *amended—*

15 (1) *by striking “(b)(1)(A) If the Secretary” and*
 16 *inserting the following:*

17 “(b) *VIOLATIONS RELATING TO COMMERCIAL MOTOR*
 18 *VEHICLE SAFETY REGULATION AND OPERATORS.*—

19 “(1) *NOTICE.*—

20 “(A) *IN GENERAL.*—*If the Secretary*”; and

21 (2) *by adding at the end of paragraph (2) the*
 22 *following:*

23 “(E) *COPYING OF RECORDS AND ACCESS TO*
 24 *EQUIPMENT, LANDS, AND BUILDINGS.*—*A person*
 25 *subject to chapter 51 or part B of subtitle VI who*

1 *fails to allow the Secretary, or an employee des-*
2 *ignated by the Secretary, promptly upon de-*
3 *mand to inspect and copy any record or inspect*
4 *and examine equipment, lands, buildings, and*
5 *other property in accordance with section 504(c),*
6 *5121(c), or 14122(b) shall be liable to the United*
7 *States for a civil penalty not to exceed \$1,000 for*
8 *each offense. Each day the Secretary is denied*
9 *the right to inspect and copy any record or in-*
10 *spect and examine equipment, lands, buildings,*
11 *and other property shall constitute a separate of-*
12 *fense; except that the total of all civil penalties*
13 *against any violator for all offenses related to a*
14 *single violation shall not exceed \$10,000. It shall*
15 *be a defense to such penalty that the records did*
16 *not exist at the time of the Secretary's request or*
17 *could not be timely produced without unreason-*
18 *able expense or effort. Nothing in this subpara-*
19 *graph shall be construed as amending or super-*
20 *ceding any remedy available to the Secretary*
21 *under section 502(d), section 507(c), or any*
22 *other provision of this title.”.*

23 **SEC. 4107. MEDICAL REVIEW BOARD.**

24 *Section 113 of title 49, United States Code, is amended*
25 *by adding at the end the following:*

1 “(j) *MEDICAL REVIEW BOARD.*—

2 “(1) *ESTABLISHMENT AND FUNCTION.*—*The Ad-*
3 *ministrato*r shall establish a Medical Review Board
4 *as an advisory committee to provide the Administra-*
5 *tion with medical advice and recommendations on*
6 *driver qualification medical standards and guide-*
7 *lines, medical examiner education, and medical re-*
8 *search.*

9 “(2) *COMPOSITION.*—*The Medical Review Board*
10 *shall consist of 5 members appointed for a term not*
11 *to exceed 3 years by the Secretary from medical insti-*
12 *tutions and private medical practice. The membership*
13 *shall reflect expertise in a variety of medical special-*
14 *ties relevant to the functions of the Administration.”.*

15 **SEC. 4108. INCREASED PENALTIES FOR OUT-OF-SERVICE**
16 **VIOLATIONS AND FALSE RECORDS.**

17 (a) *RECORDKEEPING AND REPORTING VIOLATIONS.*—
18 *Section 521(b)(2)(B) of title 49, United States Code, is*
19 *amended—*

20 (1) *in clause (i) by striking “\$500” and insert-*
21 *ing “\$1,000”; and*

22 (2) *by striking “\$5,000” each place it appears*
23 *and inserting “\$10,000”.*

1 (b) *VIOLATIONS OF OUT-OF-SERVICE ORDERS.*—*Sec-*
2 *tion 31310(i)(2) of title 49, United States Code, is amend-*
3 *ed—*

4 (1) *by striking “Not later than December 18,*
5 *1992, the” and inserting “The”;*

6 (2) *in subparagraph (A)—*

7 (A) *by striking “90 days” and inserting*
8 *“180 days”; and*

9 (B) *by striking “\$1,000” and inserting*
10 *“\$2,500”;*

11 (3) *in subparagraph (B)—*

12 (A) *by striking “one year” and inserting “2*
13 *years”; and*

14 (B) *by striking “\$1,000; and” and inserting*
15 *“\$5,000;”; and*

16 (4) *in subparagraph (C) by striking “\$10,000.”*
17 *and inserting “\$25,000; and”.*

18 **SEC. 4109. COMMERCIAL VEHICLE INFORMATION SYSTEMS**

19 **AND NETWORKS DEPLOYMENT.**

20 (a) *IN GENERAL.*—*The Secretary shall carry out a*
21 *commercial vehicle information systems and networks pro-*
22 *gram to—*

23 (1) *improve the safety and productivity of com-*
24 *mmercial vehicles and drivers; and*

1 (2) *reduce costs associated with commercial vehi-*
2 *cle operations and Federal and State commercial ve-*
3 *hicle regulatory requirements.*

4 (b) *PURPOSE.*—*The program shall advance the techno-*
5 *logical capability and promote the deployment of intelligent*
6 *transportation system applications for commercial motor*
7 *vehicle operations, commercial driver, and carrier-specific*
8 *information systems and networks.*

9 (c) *CORE DEPLOYMENT GRANTS.*—

10 (1) *IN GENERAL.*—*The Secretary shall make*
11 *grants to eligible States for the core deployment of*
12 *commercial vehicle information systems and networks.*

13 (2) *AMOUNT OF GRANTS.*—*The maximum aggre-*
14 *gate amount the Secretary may grant to a State for*
15 *the core deployment of commercial vehicle informa-*
16 *tion systems and networks under this subsection and*
17 *sections 5001(a)(5) and 5001(a)(6) of the Transpor-*
18 *tation Equity Act for the 21st Century (112 Stat.*
19 *420) may not exceed \$2,500,000.*

20 (3) *USE OF FUNDS.*—*Funds from a grant under*
21 *this subsection may only be used for the core deploy-*
22 *ment of commercial vehicle information systems and*
23 *networks. An eligible State that has either completed*
24 *the core deployment of commercial vehicle informa-*
25 *tion systems and networks or completed such deploy-*

1 *ment before grant funds are expended under this sub-*
2 *section may use the grant funds for the expanded de-*
3 *ployment of commercial vehicle information systems*
4 *and networks in the State.*

5 *(d) EXPANDED DEPLOYMENT GRANTS.—*

6 *(1) IN GENERAL.—For each fiscal year, from the*
7 *funds remaining after the Secretary has made grants*
8 *under subsection (c), the Secretary may make grants*
9 *to each eligible State, upon request, for the expanded*
10 *deployment of commercial vehicle information systems*
11 *and networks.*

12 *(2) ELIGIBILITY.—Each State that has com-*
13 *pleted the core deployment of commercial vehicle in-*
14 *formation systems and networks in such State is eli-*
15 *gible for an expanded deployment grant under this*
16 *subsection.*

17 *(3) AMOUNT OF GRANTS.—Each fiscal year, the*
18 *Secretary may distribute funds available for ex-*
19 *panded deployment grants equally among the eligible*
20 *States, but not to exceed \$1,000,000 per State.*

21 *(4) USE OF FUNDS.—A State may use funds*
22 *from a grant under this subsection only for the ex-*
23 *panded deployment of commercial vehicle information*
24 *systems and networks.*

1 (e) *ELIGIBILITY.*—*To be eligible for a grant under this*
2 *section, a State—*

3 (1) *shall have a commercial vehicle information*
4 *systems and networks program plan approved by the*
5 *Secretary that describes the various systems and net-*
6 *works at the State level that need to be refined, re-*
7 *vised, upgraded, or built to accomplish deployment of*
8 *core capabilities;*

9 (2) *shall certify to the Secretary that its commer-*
10 *cial vehicle information systems and networks deploy-*
11 *ment activities, including hardware procurement,*
12 *software and system development, and infrastructure*
13 *modifications—*

14 (A) *are consistent with the national intel-*
15 *ligent transportation systems and commercial*
16 *vehicle information systems and networks archi-*
17 *tectures and available standards; and*

18 (B) *promote interoperability and efficiency*
19 *to the extent practicable; and*

20 (3) *shall agree to execute interoperability tests*
21 *developed by the Federal Motor Carrier Safety Ad-*
22 *ministration to verify that its systems conform with*
23 *the national intelligent transportation systems archi-*
24 *tecture, applicable standards, and protocols for com-*
25 *mercial vehicle information systems and networks.*

1 (f) *FEDERAL SHARE.*—*The Federal share of the cost*
2 *of a project payable from funds made available to carry*
3 *out this section shall not exceed 50 percent. The total Fed-*
4 *eral share of the cost of a project payable from all eligible*
5 *sources shall not exceed 80 percent.*

6 (g) *DEFINITIONS.*—*In this section, the following defi-*
7 *initions apply:*

8 (1) *COMMERCIAL VEHICLE INFORMATION SYS-*
9 *TEMS AND NETWORKS.*—*The term “commercial vehi-*
10 *cle information systems and networks” means the in-*
11 *formation systems and communications networks that*
12 *provide the capability to—*

13 (A) *improve the safety of commercial motor*
14 *vehicle operations;*

15 (B) *increase the efficiency of regulatory in-*
16 *spection processes to reduce administrative bur-*
17 *dens by advancing technology to facilitate in-*
18 *spections and increase the effectiveness of enforce-*
19 *ment efforts;*

20 (C) *advance electronic processing of reg-*
21 *istration information, driver licensing informa-*
22 *tion, fuel tax information, inspection and crash*
23 *data, and other safety information;*

1 (D) enhance the safe passage of commercial
2 motor vehicles across the United States and
3 across international borders; and

4 (E) promote the communication of informa-
5 tion among the States and encourage multistate
6 cooperation and corridor development.

7 (2) *COMMERCIAL MOTOR VEHICLE OPER-*
8 *ATIONS.—The term “commercial motor vehicle oper-*
9 *ations”—*

10 (A) means motor carrier operations and
11 motor vehicle regulatory activities associated
12 with the commercial motor vehicle movement of
13 goods, including hazardous materials, and pas-
14 sengers; and

15 (B) with respect to the public sector, in-
16 cludes the issuance of operating credentials, the
17 administration of motor vehicle and fuel taxes,
18 and roadside safety and border crossing inspec-
19 tion and regulatory compliance operations.

20 (3) *CORE DEPLOYMENT.—The term “core deploy-*
21 *ment” means the deployment of systems in a State*
22 *necessary to provide the State with the following ca-*
23 *pabilities:*

24 (A) Safety information exchange to—

1 (i) electronically collect and transmit
2 commercial motor vehicle and driver inspec-
3 tion data at a majority of inspection sites
4 in the State;

5 (ii) connect to the safety and fitness
6 electronic records system for access to inter-
7 state carrier and commercial motor vehicle
8 data, summaries of past safety performance,
9 and commercial motor vehicle credentials
10 information; and

11 (iii) exchange carrier data and com-
12 mercial motor vehicle safety and credentials
13 information within the State and connect to
14 such system for access to interstate carrier
15 and commercial motor vehicle data.

16 (B) Interstate credentials administration

17 to—

18 (i) perform end-to-end processing, in-
19 cluding carrier application, jurisdiction ap-
20 plication processing, and credential
21 issuance, of at least the international reg-
22 istration plan and international fuel tax
23 agreement credentials and extend this proc-
24 essing to other credentials, including intra-
25 state registration, vehicle titling, oversize

1 *vehicle permits, overweight vehicle permits,*
2 *carrier registration, and hazardous mate-*
3 *rials permits;*

4 *(ii) connect to such plan and agree-*
5 *ment clearinghouses; and*

6 *(iii) have at least 10 percent of the*
7 *credentialing transaction volume in the*
8 *State handled electronically and have the*
9 *capability to add more carriers and to ex-*
10 *tend to branch offices where applicable.*

11 *(C) Roadside electronic screening to elec-*
12 *tronically screen transponder-equipped commer-*
13 *cial vehicles at a minimum of one fixed or mo-*
14 *bile inspection site in the State and to replicate*
15 *this screening at other sites in the State.*

16 (4) *EXPANDED DEPLOYMENT.*—*The term “ex-*
17 *panded deployment” means the deployment of systems*
18 *in a State that exceed the requirements of a core de-*
19 *ployment of commercial vehicle information systems*
20 *and networks, improve safety and the productivity of*
21 *commercial motor vehicle operations, and enhance*
22 *transportation security.*

23 (h) *REPEAL.*—*Section 5209 of the Transportation Eq-*
24 *uity Act for the 21st Century (23 U.S.C. 502 note; 112 Stat.*
25 *460–461) is repealed.*

1 **SEC. 4110. SAFETY FITNESS.**

2 (a) *IN GENERAL.*—Section 31144(a) of title 49, United
3 States Code, is amended to read as follows:

4 “(a) *IN GENERAL.*—The Secretary shall—

5 (1) *determine whether an owner or operator is*
6 *fit to operate safely commercial motor vehicles, uti-*
7 *lizing among other things the accident record of an*
8 *owner or operator operating in interstate commerce*
9 *and the accident record and safety inspection record*
10 *of such owner or operator in operations that affect*
11 *interstate commerce;*

12 (2) *periodically update such safety fitness deter-*
13 *minations;*

14 (3) *make such final safety fitness determina-*
15 *tions readily available to the public; and*

16 (4) *prescribe by regulation penalties for viola-*
17 *tions of this section consistent with section 521.”.*

18 (b) *PROHIBITED TRANSPORTATION.*—The first sub-
19 section (c) of such section 31144 is amended by adding at
20 the end the following:

21 (5) *TRANSPORTATION AFFECTING INTERSTATE*
22 *COMMERCE.*—*Owners or operators of commercial*
23 *motor vehicles prohibited from operating in interstate*
24 *commerce pursuant to paragraphs (1) through (3)*
25 *may not operate any commercial motor vehicle that*

1 *affects interstate commerce until the Secretary deter-*
2 *mines that such owner or operator is fit.”.*

3 *(c) DETERMINATION OF UNFITNESS BY A STATE.—*

4 *Such section 31144 is further amended—*

5 *(1) by redesignating subsections (d), (e), and the*
6 *second subsection (c) as subsections (e), (f), and (g),*
7 *respectively;*

8 *(2) by inserting after the first subsection (c) the*
9 *following:*

10 *“(d) DETERMINATION OF UNFITNESS BY A STATE.—*

11 *If a State that receives a grant under section 31102 deter-*
12 *mines, by applying the standards prescribed by the Sec-*
13 *retary under subsection (b), that an owner or operator of*
14 *commercial motor vehicles that has its principal place of*
15 *business in that State and operates in intrastate commerce*
16 *is unfit under such standards and prohibits the owner or*
17 *operator from operating such vehicles in the State, the Sec-*
18 *retary shall prohibit the owner or operator from operating*
19 *such vehicles in interstate commerce until the State deter-*
20 *mines that the owner or operator is fit.”; and*

21 *(3) in subsection (g) (as redesignated by para-*
22 *graph (1) of this subsection) by adding at the end the*
23 *following:*

24 *“(5) GRANTS FOR AUDITS.—From amounts de-*
25 *ducted under section 31104(f)(3), the Secretary may*

1 *make grants to States and local governments for new*
2 *entrant motor carrier audits under this subsection*
3 *without requiring a matching contribution from such*
4 *States or local governments.*

5 *“(6) DOT AUDITS.—If the Secretary determines*
6 *that a State or local government is unable to use gov-*
7 *ernment employees to conduct new entrant motor car-*
8 *rier audits, the Secretary may utilize the funds de-*
9 *ducted under section 31104(f)(3) to conduct such au-*
10 *ditions in areas under the jurisdiction of such State or*
11 *local government.”.*

12 **SEC. 4111. PATTERN OF SAFETY VIOLATIONS BY MOTOR**
13 **CARRIER MANAGEMENT.**

14 *(a) DUTIES OF EMPLOYERS AND EMPLOYEES.—Sec-*
15 *tion 31135 of title 49, United States Code, is amended—*

16 *(1) by inserting “(a) IN GENERAL.—” before*
17 *“Each”; and*

18 *(2) by adding at the end the following:*

19 *“(b) PATTERN OF NONCOMPLIANCE.—If the Secretary*
20 *finds that an officer of a motor carrier engages or has en-*
21 *gaged in a pattern or practice of avoiding compliance, or*
22 *masking or otherwise concealing noncompliance, with regu-*
23 *lations on commercial motor vehicle safety prescribed under*
24 *this subchapter, while serving as an officer of any motor*

1 *carrier, the Secretary may suspend, amend, or revoke any*
2 *part of the motor carrier's registration under section 13905.*

3 “(c) *REGULATIONS.*—*The Secretary shall by regula-*
4 *tion establish standards to implement subsection (b).*

5 “(d) *DEFINITIONS.*—*In this section, the following defi-*
6 *nitions apply:*

7 “(1) *MOTOR CARRIER.*—*The term ‘motor carrier’*
8 *has the meaning such term has under section 13102.*

9 “(2) *OFFICER.*—*The term ‘officer’ means an*
10 *owner, director, chief executive officer, chief operating*
11 *officer, chief financial officer, safety director, vehicle*
12 *maintenance supervisor, and driver supervisor of a*
13 *motor carrier, regardless of the title attached to those*
14 *functions, and any person, however designated, exer-*
15 *cising controlling influence over the operations of a*
16 *motor carrier.”.*

17 (b) *CROSS REFERENCE.*—*Section 13902(a)(1)(B) of*
18 *title 49, United States Code, is amended to read as follows:*

19 “(B)(i) *any safety regulations imposed by*
20 *the Secretary;*

21 “(ii) *the duties of employers and employees*
22 *established by the Secretary under section 31135;*
23 *and*

1 “(iii) the safety fitness requirements estab-
2 lished by the Secretary under section 31144;
3 and”.

4 **SEC. 4112. MOTOR CARRIER RESEARCH AND TECHNOLOGY**
5 **PROGRAM.**

6 (a) *IN GENERAL.*—Section 31108 of title 49, United
7 States Code, is amended to read as follows:

8 **“§ 31108. Motor carrier research and technology pro-**
9 **gram**

10 “(a) *RESEARCH, TECHNOLOGY, AND TECHNOLOGY*
11 *TRANSFER ACTIVITIES.*—

12 “(1) *ESTABLISHMENT.*—The Secretary of Trans-
13 portation shall establish and carry out a motor car-
14 rier research and technology program.

15 “(2) *MULTIYEAR PLAN.*—The program must in-
16 clude a multi-year research plan that focuses on non-
17 redundant innovative research.

18 “(3) *RESEARCH, DEVELOPMENT, AND TECH-*
19 *NOLOGY TRANSFER ACTIVITIES.*—The Secretary may
20 carry out under the program research, development,
21 technology, and technology transfer activities with re-
22 spect to—

23 “(A) the causes of accidents, injuries, and
24 fatalities involving commercial motor vehicles;

1 “(B) means of reducing the number and se-
2 verity of accidents, injuries, and fatalities in-
3 volving commercial motor vehicles;

4 “(C) improving commercial motor vehicle
5 and motor carrier safety, and industry effi-
6 ciency, through technological improvement;

7 “(D) improving technology used by enforce-
8 ment officers when conducting roadside inspec-
9 tions and compliance reviews to increase effi-
10 ciency and information transfers; and

11 “(E) increasing the safety and security of
12 hazardous materials transportation.

13 “(4) TESTS AND DEVELOPMENT.—The Secretary
14 may test, develop, or assist in testing and developing
15 any material, invention, patented article, or process
16 related to the research and technology program.

17 “(5) TRAINING.—The Secretary may use the
18 funds made available to carry out this section for
19 training or education of commercial motor vehicle
20 safety personnel, including training in accident re-
21 construction and detection of controlled substances or
22 other contraband and stolen cargo or vehicles.

23 “(6) PROCEDURES.—The Secretary may carry
24 out this section—

25 “(A) independently;

1 “(B) in cooperation with other Federal de-
2 partments, agencies, and instrumentalities and
3 Federal laboratories; or

4 “(C) by making grants to, or entering into
5 contracts, cooperative agreements, and other
6 transactions with, any Federal laboratory, State
7 agency, authority, association, institution, for-
8 profit or nonprofit corporation, organization,
9 foreign country, or person.

10 “(7) *DEVELOPMENT AND PROMOTION OF USE OF*
11 *PRODUCTS.—The Secretary shall use funds made*
12 *available to carry out this section to develop, admin-*
13 *ister, communicate, and promote the use of products*
14 *of research, technology, and technology transfer pro-*
15 *grams under this section.*

16 “(b) *COLLABORATIVE RESEARCH AND DEVELOP-*
17 *MENT.—*

18 “(1) *IN GENERAL.—To advance innovative solu-*
19 *tions to problems involving commercial motor vehicle*
20 *and motor carrier safety, security, and efficiency, and*
21 *to stimulate the deployment of emerging technology,*
22 *the Secretary may carry out, on a cost-shared basis,*
23 *collaborative research and development with—*

24 “(A) *non-Federal entities, including State*
25 *and local governments, foreign governments, col-*

1 *leges and universities, corporations, institutions,*
2 *partnerships, and sole proprietorships that are*
3 *incorporated or established under the laws of any*
4 *State; and*

5 “(B) *Federal laboratories.*

6 “(2) *COOPERATIVE AGREEMENTS.—In carrying*
7 *out this subsection, the Secretary may enter into co-*
8 *operative research and development agreements (as*
9 *defined in section 12 of the Stevenson-Wydler Tech-*
10 *nology Innovation Act of 1980 (15 U.S.C. 3710a)).*

11 “(3) *COST SHARING.—*

12 “(A) *FEDERAL SHARE.—The Federal share*
13 *of the cost of activities carried out under a coop-*
14 *erative research and development agreement en-*
15 *tered into under this subsection shall not exceed*
16 *50 percent; except that, if there is substantial*
17 *public interest or benefit associated with any*
18 *such activity, the Secretary may approve a*
19 *greater Federal share.*

20 “(B) *TREATMENT OF DIRECTLY INCURRED*
21 *NON-FEDERAL COSTS.—All costs directly in-*
22 *curring by the non-Federal partners, including*
23 *personnel, travel, and hardware or software de-*
24 *velopment costs, shall be credited toward the non-*

1 *Federal share of the cost of the activities de-*
2 *scribed in subparagraph (A).*

3 “(4) *USE OF TECHNOLOGY.*—*The research, devel-*
4 *opment, or use of a technology under a cooperative re-*
5 *search and development agreement entered into under*
6 *this subsection, including the terms under which the*
7 *technology may be licensed and the resulting royalties*
8 *may be distributed, shall be subject to the Stevenson-*
9 *Wylder Technology Innovation Act of 1980 (15 U.S.C.*
10 *3701 et seq.).”.*

11 (b) *CONFORMING AMENDMENT.*—*The analysis for*
12 *chapter 311 of such title is amended by striking the item*
13 *relating to section 31108 and inserting the following:*

 “31108. *Motor carrier research and technology program.*”.

14 **SEC. 4113. INTERNATIONAL COOPERATION.**

15 (a) *IN GENERAL.*—*Chapter 311 of title 49, United*
16 *States Code, is amended by adding at the end the following:*

17 “*SUBCHAPTER IV—MISCELLANEOUS*

18 “**§ 31161. International cooperation**

19 “*The Secretary of Transportation is authorized to use*
20 *funds made available by section 31104(i) to participate and*
21 *cooperate in international activities to enhance motor car-*
22 *rier, driver, and highway safety by such means as exchang-*
23 *ing information, conducting research, and examining needs,*
24 *best practices, and new technology.*”.

1 (b) *CLERICAL AMENDMENT.*—*The analysis for such*
 2 *chapter is amended by adding at the end the following:*

“SUBCHAPTER IV—MISCELLANEOUS

“31161. *International cooperation.*”.

3 **SEC. 4114. PERFORMANCE AND REGISTRATION INFORMA-**
 4 **TION SYSTEM MANAGEMENT.**

5 (a) *DESIGN AND CONDITIONS FOR PARTICIPATION.*—
 6 *Section 31106(b) of title 49, United States Code, is amended*
 7 *by striking paragraphs (2), (3), and (4) and inserting the*
 8 *following:*

9 “(2) *DESIGN.*—*The program shall link Federal*
 10 *motor carrier safety information systems with State*
 11 *commercial vehicle registration and licensing systems*
 12 *and shall be designed to enable a State to—*

13 “(A) *determine the safety fitness of a motor*
 14 *carrier or registrant when licensing or reg-*
 15 *istering the registrant or motor carrier or while*
 16 *the license or registration is in effect; and*

17 “(B) *deny, suspend, or revoke the commer-*
 18 *cial motor vehicle registrations of a motor car-*
 19 *rier or registrant that has been issued an oper-*
 20 *ations out-of-service order by the Secretary.*

21 “(3) *CONDITIONS FOR PARTICIPATION.*—*The Sec-*
 22 *retary shall require States, as a condition of partici-*
 23 *pation in the program, to—*

1 “(A) *comply with the uniform policies, pro-*
 2 *cedures, and technical and operational standards*
 3 *prescribed by the Secretary under subsection*
 4 *(a)(4); and*

5 “(B) *possess or seek the authority to deny,*
 6 *suspend, or revoke commercial motor vehicle reg-*
 7 *istrations based on the issuance of an operations*
 8 *out-of-service order by the Secretary.”.*

9 ***(b) PERFORMANCE AND REGISTRATION INFORMATION***
 10 ***SYSTEM MANAGEMENT GRANTS.—***

11 ***(1) IN GENERAL.—****Subchapter I of chapter 311*
 12 *of title 49, United States Code, is further amended by*
 13 *adding at the end the following:*

14 **“§31109. Performance and registration information**
 15 ***system management***

16 ***“(a) IN GENERAL.—****The Secretary of Transportation*
 17 *may make a grant to a State to implement the performance*
 18 *and registration information system management require-*
 19 *ments of section 31106(b).*

20 ***“(b) AVAILABILITY OF AMOUNTS.—****Amounts made*
 21 *available to a State under this section shall remain avail-*
 22 *able until expended.”.*

23 ***(2) CONFORMING AMENDMENT.—****The analysis for*
 24 *such subchapter is amended by adding at the end the*
 25 *following:*

“31109. Performance and registration information system management.”.

1 **SEC. 4115. DATA QUALITY IMPROVEMENT.**

2 *Section 31106(a)(3) of title 49, United States Code,*
3 *is amended—*

4 *(1) by striking “and” at the end of subpara-*
5 *graph (D);*

6 *(2) by striking the period at the end of subpara-*
7 *graph (E) and inserting a semicolon; and*

8 *(3) by adding at the end the following:*

9 *“(F) ensure, to the maximum extent prac-*
10 *tical, all the data is complete, timely, and accu-*
11 *rate across all information systems and initia-*
12 *tives; and*

13 *“(G) establish and implement a national*
14 *motor carrier safety data correction system.”.*

15 **SEC. 4116. DRIVEAWAY SADDLEMOUNT VEHICLES.**

16 *(a) DEFINITION.—Section 31111(a) of tile 49, United*
17 *States Code, is amended by adding at the end of the fol-*
18 *lowing:*

19 *“(4) DRIVE-AWAY SADDLEMOUNT WITH*
20 *FULLMOUNT VEHICLE TRANSPORTER COMBINATION.—*
21 *The term ‘drive-away saddlemount with fullmount ve-*
22 *hicle transporter combination’ means a vehicle com-*
23 *bination designed and specifically used to tow up to*
24 *3 trucks or truck tractors, each connected by a saddle*
25 *to the frame or fifth-wheel of the forward vehicle of the*
26 *truck or truck tractor in front of it.”.*

1 (b) *GENERAL LIMITATIONS.*—Section 31111(b)(1) of
2 such title is amended—

3 (1) by redesignating subparagraphs (D) and (E)
4 as subparagraphs (E) and (F), respectively; and

5 (2) by inserting after subparagraph (C) the fol-
6 lowing:

7 “(D) imposes a vehicle length limitation of not
8 less than or more than 97 feet on a driveway
9 saddlemount with fullmount vehicle transporter com-
10 binations;”.

11 **SEC. 4117. COMPLETION OF UNIFORM CARRIER REGISTRA-**
12 **TION.**

13 (a) *IN GENERAL.*—Section 14504 of title 49, United
14 States Code, and the item relating to such section in anal-
15 ysis for chapter 145 of such title, are repealed.

16 (b) *CONFORMING AMENDMENTS.*—Section 13908 of
17 such title is amended—

18 (1) in subsection (a) by striking “the single State
19 registration system under section 14504,”;

20 (2) in subsection (b)—

21 (A) by striking paragraphs (2) and (3); and

22 (B) by redesignating paragraphs (4), (5),
23 and (6) as paragraphs (2), (3), and (4), respec-
24 tively;

25 (3) by striking subsection (d); and

1 (4) by striking “(e) *DEADLINE FOR CONCLUSION;*
2 *MODIFICATION.—*” and all that follows through
3 “1996,” and inserting the following:

4 “(d) *DEADLINE FOR COMPLETION.—*Not later than 1
5 year after the date of enactment of the *Transportation Eq-*
6 *uity Act: A Legacy for Users,*”.

7 **SEC. 4118. REGISTRATION OF MOTOR CARRIERS AND**
8 **FREIGHT FORWARDERS.**

9 (a) *DEFINITIONS RELATING TO MOTOR CARRIERS.—*
10 Paragraphs (6), (7), (12), and (13) of section 13102 of title
11 49, United States Code, are each amended by striking
12 “motor vehicle” and inserting “commercial motor vehicle
13 (as defined in section 31132)”.

14 (b) *FREIGHT FORWARDERS.—*Section 13903(a) of title
15 49, United States Code, is amended—

16 (1) by striking “The Secretary” and inserting
17 the following:

18 “(1) *HOUSEHOLD GOODS.—*The Secretary”;

19 (2) by inserting “of household goods” after
20 “freight forwarder”; and

21 (3) by adding at the end the following:

22 “(2) *OTHERS.—*The Secretary may register a
23 person to provide service subject to jurisdiction under
24 subchapter III of chapter 135 as a freight forwarder
25 (other than a freight forwarder of household goods) if

1 *cle drivers can more safely share the road with each*
2 *other.*

3 *(2) A program to promote enhanced traffic en-*
4 *forcement efforts aimed at reducing the incidence of*
5 *the most common unsafe driving behaviors that cause*
6 *or contribute to crashes involving commercial motor*
7 *vehicles and passenger vehicles.*

8 *(3) A program to establish a public-private part-*
9 *nership to provide resources and expertise for the de-*
10 *velopment and dissemination of information relating*
11 *to sharing the road referred to in paragraphs (1) and*
12 *(2) to each partner's constituents and to the general*
13 *public through the use of brochures, videos, paid and*
14 *public advertisements, the Internet, and other media.*

15 *(c) FEDERAL SHARE.—The Federal share of a pro-*
16 *gram or activity for which a grant is made under this sec-*
17 *tion shall be 100 percent of the cost of such program or*
18 *activity.*

19 *(d) ANNUAL REPORT.—The Secretary shall prepare*
20 *and transmit to Congress an annual report on the programs*
21 *and activities carried out under this section.*

22 *(e) FUNDING.—From amounts made available under*
23 *section 31104(i) of title 49, United States Code, the Sec-*
24 *retary shall make available \$1,000,000 to the Federal Motor*
25 *Carrier Safety Administration, and \$3,000,000 to the Na-*

1 *tional Highway Traffic Safety Administration, for each of*
2 *fiscal years 2005, 2006, 2007, 2008, and 2009 to carry out*
3 *this section.*

4 **SEC. 4121. INSULIN TREATED DIABETES MELLITUS.**

5 *(a) NO PERIOD OF COMMERCIAL DRIVING WHILE*
6 *USING INSULIN REQUIRED FOR QUALIFICATION.—The Sec-*
7 *retary may not require individuals with insulin-treated di-*
8 *abetes mellitus who are applying for an exemption from*
9 *the physical qualification standards to have experience op-*
10 *erating commercial motor vehicles while using insulin in*
11 *order to be exempted from the physical qualification stand-*
12 *ards to operate a commercial motor vehicle in interstate*
13 *commerce.*

14 *(b) MINIMUM PERIOD OF INSULIN USE.—Subject to*
15 *subsection (a), the Secretary shall require individuals with*
16 *insulin-treated diabetes mellitus to have a minimum period*
17 *of insulin use to demonstrate stable control of diabetes before*
18 *operating a commercial motor vehicle in interstate com-*
19 *merce. For individuals who have been newly diagnosed with*
20 *type 1 diabetes, the minimum period of insulin use may*
21 *not exceed 2 months, unless directed by the treating physi-*
22 *cian. For individuals who have type 2 diabetes and are con-*
23 *verting to insulin use, the minimum period of insulin use*
24 *may not exceed 1 month, unless directed by the treating*
25 *physician.*

1 (c) *LIMITATIONS.*—*Insulin-treated individuals may*
2 *not be held by the Secretary to a higher standard of physical*
3 *qualification in order to operate a commercial motor vehicle*
4 *in interstate commerce than other individuals applying to*
5 *operate, or operating, a commercial motor vehicle in inter-*
6 *state commerce; except to the extent that limited operating,*
7 *monitoring, and medical requirements are deemed medi-*
8 *cally necessary under regulations issued by the Secretary.*

9 **SEC. 4122. GRANT PROGRAM FOR COMMERCIAL MOTOR VE-**
10 **HICLE OPERATORS.**

11 (a) *ESTABLISHMENT.*—*The Secretary shall establish a*
12 *grant program for training operators of commercial motor*
13 *vehicles (as defined in section 31301 of title 49, United*
14 *States Code). The purpose of the program shall be to train*
15 *operators and future operators in the safe use of such vehi-*
16 *cle.*

17 (b) *FEDERAL SHARE.*—*The Federal share of the cost*
18 *for which a grant is made under this section shall be 80*
19 *percent.*

20 (c) *FUNDING.*—*From amounts made available under*
21 *section 31104(i) of title 49, United States Code, the Sec-*
22 *retary shall make available \$1,000,000 for each of fiscal*
23 *years 2005, 2006, 2007, 2008, and 2009 to carry out this*
24 *section.*

1 **SEC. 4123. COMMERCIAL MOTOR VEHICLE SAFETY ADVI-**
2 **SORY COMMITTEE.**

3 (a) *ESTABLISHMENT.*—*The Secretary shall establish a*
4 *commercial motor vehicle safety advisory committee to pro-*
5 *vide advice and recommendations to the Secretary on com-*
6 *mercial motor vehicle safety regulations and other matters*
7 *relating to activities and functions of the Federal Motor*
8 *Carrier Safety Administration.*

9 (b) *COMPOSITION.*—*The members of the advisory com-*
10 *mittee shall be appointed by the Secretary and shall include*
11 *representatives of the motor carrier industry, drivers, safety*
12 *advocates, manufacturers, safety enforcement officials, law*
13 *enforcement agencies of border States, and other individuals*
14 *affected by rulemakings under consideration by the Depart-*
15 *ment of Transportation. Representatives of a single interest*
16 *group may not constitute a majority of the members of the*
17 *advisory committee.*

18 (c) *TERMINATION DATE.*—*The advisory committee*
19 *shall remain in effect until September 30, 2009.*

20 **SEC. 4124. SAFETY DATA IMPROVEMENT PROGRAM.**

21 (a) *IN GENERAL.*—*The Secretary shall make grants to*
22 *States for projects and activities to improve the accuracy,*
23 *timeliness, and completeness of commercial motor vehicle*
24 *safety data reported to the Secretary.*

1 (b) *ELIGIBILITY.*—A State shall be eligible for a grant
2 under this section in a fiscal year if the Secretary deter-
3 mines that the State has—

4 (1) *conducted a comprehensive audit of its com-*
5 *mmercial motor vehicle safety data system within the*
6 *preceding 2 years;*

7 (2) *developed a plan that identifies and*
8 *prioritizes its commercial motor vehicle safety data*
9 *needs and goals; and*

10 (3) *identified performance-based measures to de-*
11 *termine progress toward those goals.*

12 (c) *AUTHORIZATION OF APPROPRIATIONS.*—There is
13 authorized to be appropriated from the Highway Trust
14 Fund (other than the Mass Transit Account) to carry out
15 this section \$3,000,000 for each of fiscal years 2006 through
16 2009.

17 (d) *APPLICABILITY OF TITLE 23, UNITED STATES*
18 *CODE.*—Funds authorized to be appropriated by this sec-
19 tion shall be available for obligation in the same manner
20 as if such funds were apportioned under chapter 1 of title
21 23, United States Code, except that the Federal share of the
22 cost of a project or activity carried out using such funds
23 shall be 80 percent and such funds shall remain available
24 until expended.

1 (e) *BIENNIAL REPORT.*—Not later 2 years after the
2 date of enactment of this Act, and biennially thereafter, the
3 Secretary shall transmit to Congress a report on the activi-
4 ties and results of the program carried out under this sec-
5 tion, together with any recommendations the Secretary de-
6 termines appropriate.

7 **SEC. 4125. COMMERCIAL DRIVER'S LICENSE INFORMATION**
8 **SYSTEM MODERNIZATION.**

9 (a) *GENERAL AUTHORITY.*—The Secretary may make
10 a grant to a State or organization representing agencies
11 and officials of a State in a fiscal year to modernize its
12 commercial driver's license information system in accord-
13 ance with subsection (c) if the State is in substantial com-
14 pliance with the requirements of section 31311 of title 49,
15 United States Code, and this section, as determined by the
16 Secretary. The Secretary shall establish criteria for the dis-
17 tribution of grants and notify each State annually of such
18 criteria.

19 (b) *MODERNIZATION PLAN.*—No later than 120 days
20 after the date of enactment of this Act, the Secretary shall
21 publish a comprehensive national plan to modernize the
22 commercial driver's license information system. The plan
23 shall be developed in consultation with representatives of
24 the motor carrier industry, State safety enforcement agen-

1 *cies, and State licensing agencies designated by the Sec-*
2 *retary.*

3 *(c) USE OF GRANT.—A State may use a grant under*
4 *this section only to implement improvements that are con-*
5 *sistent with the modernization plan developed by the Sec-*
6 *retary.*

7 *(d) PILOT PROGRAM.—*

8 *(1) IN GENERAL.—The Secretary may conduct*
9 *with grants under this section a 3-year pilot program*
10 *in no more than 3 States to evaluate a system for*
11 *sharing driver’s license information on all commer-*
12 *cial and noncommercial driver’s licenses issued in*
13 *each participating State.*

14 *(2) FUNDING.—The Secretary may use no more*
15 *than 50 percent of the funds available to carry out*
16 *this section for the pilot program in any fiscal year.*

17 *(3) REPORT.—Not later than 1 year after the*
18 *last day of the pilot program, the Secretary shall*
19 *transmit to Congress a report on the results of the*
20 *pilot program.*

21 *(e) GOVERNMENT SHARE.—A grant under this section*
22 *to a State or organization may not be for more than 80*
23 *percent of the costs incurred by the State or organization*
24 *in a fiscal year in implementing the modernization pro-*
25 *gram developed by the Secretary. In determining these costs,*

1 *the Secretary shall include in-kind contributions of the*
2 *State.*

3 *(f) FUNDING.—There are authorized to be appro-*
4 *priated from the Highway Trust Fund (other than the Mass*
5 *Transit Account) to carry out this section—*

6 *(1) \$7,000,000 for fiscal year 2006;*

7 *(2) \$7,000,000 for fiscal year 2007;*

8 *(3) \$8,000,000 for fiscal year 2008; and*

9 *(4) \$8,000,000 for fiscal year 2009.*

10 *(g) CONTRACT AUTHORITY AND AVAILABILITY.—*

11 *(1) PERIOD OF AVAILABILITY.—The amounts*
12 *made available under subsection (f) shall remain*
13 *available until expended.*

14 *(2) INITIAL DATE OF AVAILABILITY.—Amounts*
15 *authorized to be appropriated from the Highway*
16 *Trust Fund (other than the Mass Transit Account) by*
17 *subsection (f) shall be available for obligation on the*
18 *date of their apportionment or allocation or on Octo-*
19 *ber 1 of the fiscal year for which they are authorized,*
20 *whichever occurs first.*

21 *(3) CONTRACT AUTHORITY.—Approval by the*
22 *Secretary of a grant with funds made available under*
23 *subsection (f) imposes upon the United States a con-*
24 *tractual obligation for payment of the Government's*

1 *share of costs incurred in carrying out the objectives*
2 *of the grant.*

3 **SEC. 4126. MAXIMUM HOURS OF SERVICE FOR OPERATORS**
4 **OF GROUND WATER WELL DRILLING RIGS.**

5 *Section 345(a)(2) of the National Highway System*
6 *Designation Act of 1995 (49 U.S.C. 31136 note; 109 Stat*
7 *613) is amended by adding at the end the following: “Ex-*
8 *cept as required in section 395.3 of title 49, Code of Federal*
9 *Regulations, as in effect on the date of enactment of this*
10 *sentence, no additional off-duty time shall be required in*
11 *order to operate such vehicle.”.*

12 **SEC. 4127. SAFETY PERFORMANCE HISTORY SCREENING.**

13 *(a) IN GENERAL.—The Secretary shall provide persons*
14 *conducting preemployment screening services for the motor*
15 *carrier industry electronic access to the following reports*
16 *contained in the Motor Carrier Management Information*
17 *System:*

18 *(1) Commercial motor vehicle accident reports.*

19 *(2) Inspection reports that contain no driver-re-*
20 *lated safety violations.*

21 *(3) Serious driver-related safety violation inspec-*
22 *tion reports.*

23 *(b) CONDITIONS ON PROVIDING ACCESS.—Before pro-*
24 *viding a person access to the Motor Carrier Management*

1 *Information System under subsection (a), the Secretary*
2 *shall—*

3 (1) *ensure that any information that is released*
4 *to such person will be in accordance with the Fair*
5 *Credit Reporting Act (15 U.S.C. 1681 et seq.) and all*
6 *other applicable Federal law;*

7 (2) *ensure that such person will not conduct a*
8 *screening without the operator-applicant's written*
9 *consent;*

10 (3) *ensure that any information that is released*
11 *to such person will not be released to any person or*
12 *entity, other than the motor carrier requesting the*
13 *screening services or the operator-applicant, unless ex-*
14 *pressly authorized or required by law; and*

15 (4) *provide a procedure for the operator-appli-*
16 *cant to correct inaccurate information in the System*
17 *in a timely manner.*

18 (c) *DESIGN.—The process for providing access to the*
19 *Motor Carrier Management Information System under sub-*
20 *section (a) shall be designed to assist the motor carrier in-*
21 *dustry in assessing an individual operator's crash and seri-*
22 *ous safety violation inspection history as a preemployment*
23 *condition. Use of the process shall not be mandatory and*
24 *may only be used during the preemployment assessment of*
25 *an operator-applicant.*

1 (d) *SERIOUS OPERATOR-RELATED SAFETY VIOLATION*
2 *DEFINED.*—*In this section, the term “serious operator-re-*
3 *lated violation” means a violation by an operator of a com-*
4 *mercial motor vehicle (as defined in section 31102 of title*
5 *49, United States Code) that the Secretary determines will*
6 *result in the operator being prohibited from continuing to*
7 *operate a commercial motor vehicle until the violation is*
8 *corrected.*

9 **SEC. 4128. INTERMODAL CHASSIS ROADABILITY RULE-MAK-**
10 **ING.**

11 (a) *IN GENERAL.*—*Not later than 1 year after the date*
12 *of enactment of this Act, the Secretary, after providing no-*
13 *tice and opportunity for comment, shall issue regulations*
14 *establishing a program to ensure that intermodal equip-*
15 *ment used to transport intermodal containers are safe.*

16 (b) *MOTOR CARRIER SAFETY REGULATIONS.*—*The*
17 *regulations under this section shall be issued as part of the*
18 *Federal motor carrier safety regulations of the Department*
19 *of Transportation.*

20 (c) *CONTENTS.*—*The regulations issued under this sec-*
21 *tion shall include, at a minimum—*

22 (1) *a requirement to identify providers of inter-*
23 *modal equipment that is interchanged or intended for*
24 *interchange to motor carriers in intermodal transpor-*
25 *tation;*

1 (2) a requirement to match such intermodal
2 equipment readily to the intermodal equipment pro-
3 vider through a unique identifying number;

4 (3) a requirement to ensure that each intermodal
5 equipment provider maintains a system of mainte-
6 nance and repair records for such equipment;

7 (4) a requirement to evaluate the compliance of
8 intermodal equipment providers with the applicable
9 Federal motor carrier safety regulations;

10 (5) a provision that—

11 (A) establishes a civil penalty structure con-
12 sistent with section 521(b) of title 49, United
13 States Code, for intermodal equipment providers
14 that fail to attain satisfactory compliance with
15 applicable Federal motor carrier safety regula-
16 tions; and

17 (B) prohibits intermodal equipment pro-
18 viders from placing intermodal equipment on the
19 public highways if such providers are found to
20 pose an imminent hazard;

21 (6) a process by which motor carriers and agents
22 of motor carriers may petition the Federal Motor
23 Carrier Safety Administration to undertake an inves-
24 tigation of a noncompliant intermodal equipment
25 provider; and

1 (7) *an inspection and audit program of inter-*
2 *modal equipment providers.*

3 (d) *DEADLINE FOR RULEMAKING PROCEEDING.—The*
4 *regulations under this section shall be issued pursuant to*
5 *a rulemaking proceeding initiated not later than 90 days*
6 *after the date of enactment of this Act.*

7 (e) *DEFINITIONS.—In this section, the following defini-*
8 *tions apply:*

9 (1) *INTERMODAL EQUIPMENT.—The term “inter-*
10 *modal equipment” means equipment that is com-*
11 *monly used in the intermodal transportation of*
12 *freight over public highways in interstate commerce*
13 *(as defined in section 31132 of title 49, United States*
14 *Code), including trailers, chassis, and any associated*
15 *devices.*

16 (2) *INTERMODAL EQUIPMENT PROVIDER.—The*
17 *term “intermodal equipment provider” means any*
18 *person with any legal right, title, or interest in inter-*
19 *modal equipment that interchanges such equipment to*
20 *a motor carrier.*

21 (3) *INTERCHANGE.—The term “interchange”*
22 *means the act of providing intermodal equipment to*
23 *a motor carrier for the purpose of transporting the*
24 *equipment for loading or unloading by any person or*
25 *repositioning the equipment for the benefit of the*

1 *equipment provider. Such term does not include the*
2 *leasing of equipment to a motor carrier for use in the*
3 *motor carrier’s over-the-road freight hauling oper-*
4 *ations.*

5 *(f) INSPECTION, REPAIR, AND MAINTENANCE OF*
6 *INTERMODAL EQUIPMENT.—Section 31136 of title 49,*
7 *United States Code, is amended by adding at the end the*
8 *following:*

9 *“(g) INSPECTION, REPAIR, AND MAINTENANCE OF*
10 *INTERMODAL EQUIPMENT.—The Secretary, or an employee*
11 *of the Department of Transportation designated by the Sec-*
12 *retary, may inspect intermodal equipment, and copy re-*
13 *lated maintenance and repair records for such equipment,*
14 *on demand and display of proper credentials to inspect*
15 *intermodal equipment.”.*

16 *(g) JURISDICTION OVER EQUIPMENT PROVIDERS.—*
17 *Section 31132(1) of such title is amended by inserting after*
18 *“towed vehicle” the following: “(including intermodal*
19 *equipment, including trailers, chassis and associated de-*
20 *vices, commonly used for the transportation of intermodal*
21 *freight via highway)”.*

22 **SEC. 4129. SUBSTANCE ABUSE PROFESSIONALS.**

23 *The Secretary shall conduct a rulemaking to permit*
24 *State licensed or certified mental health counselors or addic-*
25 *tion specialists certified by the American Academy of*

1 *Health Care Providers in the Addictive Disorders to act as*
2 *substance abuse professionals under subpart O of part 40*
3 *of title 49, Code of Federal Regulations.*

4 **SEC. 4130. INTERSTATE VAN OPERATIONS.**

5 *The Federal motor carrier safety regulations (other*
6 *than regulations relating to commercial drivers license and*
7 *drug and alcohol testing requirements) shall apply to all*
8 *interstate operations of commercial motor vehicles used to*
9 *transport between 9 and 15 passengers (including the driv-*
10 *er), regardless of the distance traveled.*

11 **SEC. 4131. HOURS OF SERVICE FOR OPERATORS OF UTILITY**
12 **SERVICE VEHICLES.**

13 *Section 345 of the National Highway System Designa-*
14 *tion Act of 1995 (49 U.S.C. 31136 note; 109 Stat. 613) is*
15 *amended—*

16 *(1) in subsection (a) by striking paragraph (4)*
17 *and inserting the following:*

18 *“(4) OPERATORS OF UTILITY SERVICE VEHI-*
19 *CLES.—*

20 *“(A) INAPPLICABILITY OF FEDERAL REGU-*
21 *LATIONS.—Such regulations shall not apply to a*
22 *driver of a utility service vehicle.*

23 *“(B) PROHIBITION ON STATE REGULA-*
24 *TIONS.—A State, a political subdivision of a*
25 *State, an interstate agency, or other entity con-*

1 *sisting of 2 or more States, shall not enact or en-*
 2 *force any law, rule, regulation, or standard that*
 3 *imposes requirements on a driver of a utility*
 4 *service vehicle that are similar to the require-*
 5 *ments contained in such regulations.”.*

6 (2) *in subsection (b) by striking “Nothing” and*
 7 *inserting “Except as provided in subsection (a)(4),*
 8 *nothing”; and*
 9 (3) *in the first sentence of subsection (c) by strik-*
 10 *ing “paragraph (2)” and inserting “an exemption*
 11 *under paragraph (2) or (4)”.*

12 **SEC. 4132. TECHNICAL CORRECTIONS.**

13 (a) *INTERMODAL TRANSPORTATION ADVISORY*
 14 *BOARD.—Section 5502(b) of title 49, United States Code,*
 15 *is amended—*

16 (1) *by striking “and” at the end of paragraph*
 17 (4);

18 (2) *by striking the period at the end of para-*
 19 *graph (5) and inserting “; and”; and*

20 (3) *by adding at the end the following:*

21 “*(6) the Federal Motor Carrier Safety Adminis-*
 22 *tration.”.*

23 (b) *REFERENCE TO AGENCY.—Section 31502(e) of*
 24 *such title is amended—*

1 (1) in paragraph (2) by striking “Regional Di-
2 rector of the Federal Highway Administration” and
3 inserting “Field Administrator of the Federal Motor
4 Carrier Safety Administration”; and

5 (2) in paragraph (3) by striking “Regional Di-
6 rector” and inserting “Field Administrator”.

7 **SEC. 4133. INTRASTATE AND FOREIGN OPERATIONS OF**
8 **INTERSTATE MOTOR CARRIERS.**

9 Section 31144(a) of title 49, United States Code, is
10 amended to read as follows:

11 “(a) *IN GENERAL.*—The Secretary shall—

12 “(1) determine whether an owner or operator is
13 fit to operate safely commercial motor vehicles, uti-
14 lizing among other things the accident and safety in-
15 spection record of an owner or operator during oper-
16 ations—

17 “(A) in interstate commerce in the United
18 States;

19 “(B) in a State that affects interstate com-
20 merce in the United States; and

21 “(C) in Canada or Mexico if the owner or
22 operator also conducts operations in the United
23 States;

24 “(2) periodically update such safety fitness deter-
25 minations;

1 “(3) make such final safety fitness determina-
2 tions readily available to the public; and

3 “(4) prescribe by regulation penalties for viola-
4 tions of this section consistent with section 521.”.

5 **SEC. 4134. OPERATORS OF VEHICLES TRANSPORTING AGRICULTURAL**
6 **COMMODITIES AND FARM SUPPLIES.**
7 **PLIES.**

8 (a) *AGRICULTURAL EXEMPTION.*—Section 345(a)(1) of
9 the National Highway System Designation Act of 1995 (49
10 U.S.C. 31136 note; 109 Stat. 613) is amended to read as
11 follows:

12 “(1) *TRANSPORTATION OF AGRICULTURAL COM-*
13 *MODITIES AND FARM SUPPLIES.*—Regulations pre-
14 scribed by the Secretary under sections 31136 and
15 31502 of title 49, United States Code, regarding max-
16 imum driving and on-duty time for drivers used by
17 motor carriers shall not apply during planting and
18 harvest periods, as determined by each State to driv-
19 ers transporting agricultural commodities or farm
20 supplies for agricultural purposes in a State if such
21 transportation is limited to an area within a 100 air
22 mile radius from the source of the commodities or the
23 distribution point for the farm supplies.”.

24 (b) *DEFINITIONS.*—Section 345(e) of such Act (109
25 Stat. 614) is amended by adding at the end the following:

1 “(7) *AGRICULTURAL COMMODITY*.—The term ‘ag-
2 *ricultural commodity*’ means products grown on and
3 *harvested from the land during the planting and har-*
4 *vesting seasons within each State, as determined by*
5 *the State.*”

6 “(8) *FARM SUPPLIES FOR AGRICULTURAL PUR-*
7 *POSES*.—The term ‘farm supplies for agricultural
8 *purposes*’ means products directly related to the grow-
9 *ing or harvesting of agricultural commodities during*
10 *the planting and harvesting seasons within each*
11 *State, as determined by the State, and livestock feed*
12 *at any time of the year.*”

13 **SEC. 4135. HOURS OF SERVICE RULES FOR OPERATORS**
14 **PROVIDING TRANSPORTATION TO MOVIE**
15 **PRODUCTION SITES.**

16 *Notwithstanding sections 31136 and 31502 of title 49,*
17 *United States Code, and any other provision of law, the*
18 *maximum daily hours of service for an operator of a com-*
19 *mercial motor vehicle providing transportation of property*
20 *or passengers to or from a theatrical or television motion*
21 *picture production site located within a 100 air mile radius*
22 *of the work reporting location of such operator shall be those*
23 *in effect under the regulations in effect under such sections*
24 *on April 27, 2003.*

1 **SEC. 4136. SPECIAL RULE FOR FISCAL YEAR 2004.**

2 *In any case in which an amount is authorized to be*
 3 *appropriated, made available, allocated, set aside, taken*
 4 *down, or subject to an obligation limitation for fiscal year*
 5 *2004 for a program, project, or activity in any provision*
 6 *of this title, including an amendment made by this title,*
 7 *that is different than the amount authorized to be appro-*
 8 *priated, made available, allocated, set aside, taken down,*
 9 *or subject to an obligation limitation for fiscal year 2004*
 10 *for such program, project, or activity in any provision of*
 11 *the Surface Transportation Extension Act of 2004, Part IV*
 12 *(Public Law 108–280), including any amendment made by*
 13 *such Act, the amount referred to in such Act shall be the*
 14 *amount authorized to be appropriated, made available, al-*
 15 *located, set aside, taken down, or subject to an obligation*
 16 *limitation.*

17 **Subtitle B—Household Goods**
 18 **Transportation**

19 **SEC. 4201. FEDERAL-STATE RELATIONS RELATING TO**
 20 **TRANSPORTATION OF HOUSEHOLD GOODS.**

21 (a) *NONPREEMPTION OF INTRASTATE TRANSPOR-*
 22 *TATION OF HOUSEHOLD GOODS.—Section 14501(c)(2)(B)*
 23 *of title 49, United States Code, is amended by inserting*
 24 *“intrastate” before “transportation”.*

25 (b) *ENFORCEMENT OF CONSUMER PROTECTION WITH*
 26 *RESPECT TO INTERSTATE HOUSEHOLD GOODS CAR-*

1 *RIERS.—Chapter 145 of such title is amended by adding*
2 *at the end the following:*

3 **“§ 14506. Enforcement of Federal regulations by State**
4 **attorneys general**

5 *“(a) IN GENERAL.—A State, as parens patriae, may*
6 *bring a civil action on behalf of a resident of the State in*
7 *an appropriate district court of the United States to enforce*
8 *a regulation or order of the Secretary or Board—*

9 *“(1) to protect an individual shipper of house-*
10 *hold goods if such regulation or order governs the de-*
11 *livery of the shipper’s household goods; or*

12 *“(2) to impose a civil penalty under section*
13 *14915 whenever the attorney general of the State has*
14 *reason to believe that the interests of the residents of*
15 *the State have been or are being threatened or ad-*
16 *versely affected by—*

17 *“(A) a carrier or broker providing transpor-*
18 *tation of household goods subject to jurisdiction*
19 *under subchapter I or III of chapter 135 who is*
20 *committing repeat violations of section 14915; or*

21 *“(B) a foreign motor carrier providing*
22 *transportation of household goods who is reg-*
23 *istered under section 13902 and who is commit-*
24 *ting repeat violations of section 14915.*

1 “(b) *LIMITATION ON STATUTORY CONSTRUCTION.*—

2 *Nothing in this section shall be construed—*

3 “(1) *as preventing an attorney general from ex-*
4 *ercising the powers conferred on the attorney general*
5 *by the laws of such State to conduct investigations or*
6 *to administer oaths or affirmations or to compel the*
7 *attendance of witnesses or the production of documen-*
8 *tary and other evidence;*

9 “(2) *as prohibiting a State official from pro-*
10 *ceeding in State court to enforce a criminal statute*
11 *of the State;*

12 “(3) *as authorizing a State or political subdivi-*
13 *sion of a State to bring an enforcement action under*
14 *a consumer protection law, regulation, or other provi-*
15 *sion of the State relating to interstate transportation*
16 *of household goods (as defined in section*
17 *13102(10)(A)) with respect to an activity that is in-*
18 *consistent with Federal laws and regulations relating*
19 *to interstate transportation of household goods; or*

20 “(4) *as authorizing a State, as parens patriae,*
21 *to bring a class civil action on behalf of its residents*
22 *to enforce a regulation or order of the Secretary or*
23 *Board.*

24 “(c) *ACTIONS BY THE SECRETARY OR BOARD.*—*When-*
25 *ever a civil action has been instituted by or on behalf of*

1 *the Secretary or Board for violation of section 14915, no*
2 *State may, during the pendency of such action, institute*
3 *a civil action under subsection (a) against any defendant*
4 *named in the complaint relating to such violation.*

5 “(d) *VENUE; SERVICE OF PROCESS.*—*Any civil action*
6 *to be brought under subsection (a) in a district court of*
7 *the United States may be brought in the district in which*
8 *the defendant is found, is an inhabitant, or transacts busi-*
9 *ness or wherever venue is proper under section 1391 of title*
10 *28. Process in such an action may be served in any district*
11 *in which the defendant is an inhabitant or in which the*
12 *defendant may be found.”.*

13 (c) *CONFORMING AMENDMENT.*—*The analysis for such*
14 *chapter is amended by adding at the end the following:*

 “14506. *Enforcement of Federal regulations by State attorneys general.*”.

15 **SEC. 4202. ARBITRATION REQUIREMENTS.**

16 (a) *OFFERING SHIPPERS ARBITRATION.*—*Section*
17 *14708(a) of title 49, United States Code, is amended by*
18 *inserting before the period at the end the following: “and*
19 *to determine whether carrier charges, in addition to those*
20 *collected at delivery, must be paid by the shipper for trans-*
21 *portation and services related to the transportation of*
22 *household goods”.*

23 (b) *THRESHOLD FOR BINDING ARBITRATION.*—*Section*
24 *14708(b)(6) of such title is amended by striking “\$5,000”*
25 *each place it appears and inserting “\$10,000”.*

1 (c) *DEADLINE FOR DECISION.*—Section 14708(b)(8) of
2 such title is amended—

3 (1) by striking “and”; and

4 (2) by inserting after “for damages” the fol-
5 lowing: “, and an order requiring the payment of ad-
6 ditional carrier charges”.

7 (d) *ATTORNEY’S FEES TO SHIPPERS.*—Section
8 14708(d)(3) of such title is amended—

9 (1) by redesignating subparagraphs (A) and (B)
10 as subparagraphs (B) and (C), respectively; and

11 (2) by inserting before subparagraph (B) (as so
12 redesignated) the following:

13 “(A) the shipper was not advised by the carrier
14 during the claim settlement process that a dispute set-
15 tlement program was available to resolve the dis-
16 pute;”.

17 **SEC. 4203. CIVIL PENALTIES RELATING TO HOUSEHOLD**
18 **GOODS BROKERS AND UNAUTHORIZED**
19 **TRANSPORTATION.**

20 Section 14901(d) of title 49, United States Code, is
21 amended—

22 (1) by striking “If a carrier” and inserting the
23 following:

24 “(1) *IN GENERAL.*—If a carrier”; and

25 (2) by adding at the end the following:

1 “(2) *ESTIMATE OF BROKER WITHOUT CARRIER*
 2 *AGREEMENT.*—*If a broker for transportation of house-*
 3 *hold goods subject to jurisdiction under subchapter I*
 4 *of chapter 135 makes an estimate of the cost of trans-*
 5 *porting any such goods before entering into an agree-*
 6 *ment with a carrier to provide transportation of*
 7 *household goods subject to such jurisdiction, the broker*
 8 *is liable to the United States for a civil penalty of not*
 9 *less than \$10,000 for each violation.*

10 “(3) *UNAUTHORIZED TRANSPORTATION.*—*If a*
 11 *person provides transportation of household goods*
 12 *subject to jurisdiction under subchapter I of chapter*
 13 *135 or provides broker services for such transpor-*
 14 *tation without being registered under chapter 139 to*
 15 *provide such transportation or services as a motor*
 16 *carrier or broker, as the case may be, such person is*
 17 *liable to the United States for a civil penalty of not*
 18 *less than \$25,000 for each violation.”.*

19 **SEC. 4204. CIVIL PENALTY FOR HOLDING HOUSEHOLD**
 20 **GOODS HOSTAGE.**

21 (a) *IN GENERAL.*—*Chapter 149 of title 49, United*
 22 *States Code, is amended by adding at the end the following:*

23 **“§ 14915. Holding household goods hostage**

24 “(a) *HOLDING HOUSEHOLD GOODS HOSTAGE DE-*
 25 *FINED.*—*For purposes of this section, the term ‘holding*

1 *household goods hostage’ means the knowing and willful re-*
 2 *fusal to relinquish possession of a shipment of household*
 3 *goods described in section 13102(10)(A) upon payment of*
 4 *not more than 100 percent of a binding estimate (or, in*
 5 *the case of a nonbinding estimate, not more than 110 per-*
 6 *cent of the estimated charges for such shipment).*

7 “(b) *CIVIL PENALTY.*—Whoever is found holding a
 8 *household goods shipment hostage is liable to the United*
 9 *States for a civil penalty of not less than \$10,000 for each*
 10 *violation. If such person is a carrier or broker, the Secretary*
 11 *may suspend for a period of not less than 6 months the*
 12 *registration of such carrier or broker under chapter 139.”.*

13 (b) *CONFORMING AMENDMENT.*—The analysis for such
 14 *chapter is amended by adding at the end the following:*

“14915. *Holding household goods hostage.*”.

15 **SEC. 4205. WORKING GROUP FOR DEVELOPMENT OF PRAC-**
 16 **TICES AND PROCEDURES TO ENHANCE FED-**
 17 **ERAL-STATE RELATIONS.**

18 (a) *IN GENERAL.*—Not later than 90 days after the
 19 *date of enactment of this Act, the Secretary shall establish*
 20 *a working group of State attorneys general, State consumer*
 21 *protection administrators, and Federal and local law en-*
 22 *forcement officials for the purpose of developing practices*
 23 *and procedures to enhance the Federal-State partnership in*
 24 *enforcement efforts, exchange of information, and coordina-*
 25 *tion of enforcement efforts with respect to interstate trans-*

1 *portation of household goods and of making legislative and*
2 *regulatory recommendations to the Secretary concerning*
3 *such enforcement efforts.*

4 (b) *CONSULTATION.*—*In carrying out subsection (a),*
5 *the working group shall consult with industries involved in*
6 *the transportation of household goods.*

7 (c) *FEDERAL ADVISORY COMMITTEE ACT EXEMP-*
8 *TION.*—*The Federal Advisory Committee Act (5 U.S.C.*
9 *App.) shall not apply to the working group established*
10 *under subsection (a).*

11 (d) *TERMINATION DATE.*—*The working group shall re-*
12 *main in effect until September 30, 2009.*

13 **SEC. 4206. CONSUMER HANDBOOK ON DOT WEB SITE.**

14 *Not later than 1 year after the date of enactment of*
15 *this Act, the Secretary shall take such action as may be*
16 *necessary to ensure that publication ESA 03005 of the Fed-*
17 *eral Motor Carrier Safety Administration entitled “Your*
18 *Rights and Responsibilities When You Move”, is promi-*
19 *nently displayed, and available in language that is readily*
20 *understandable by the general public, on the Web site of*
21 *the Department of Transportation.*

22 **SEC. 4207. RELEASE OF HOUSEHOLD GOODS BROKER IN-**
23 **FORMATION.**

24 *Not later than 1 year after the date of enactment of*
25 *this Act, the Secretary shall modify the regulations con-*

1 *tained in part 375 of title 49, Code of Federal Regulations,*
2 *to require a broker that is subject to such regulations to*
3 *provide shippers with the following information whenever*
4 *they have contact with a shipper or potential shipper:*

5 (1) *The Department of Transportation number*
6 *of the broker.*

7 (2) *The ESA 03005 publication referred to in*
8 *section 4206 of this Act.*

9 (3) *A list of all motor carriers providing trans-*
10 *portation of household goods used by the broker and*
11 *a statement that the broker is not a motor carrier*
12 *providing transportation of household goods.*

13 **SEC. 4208. CONSUMER COMPLAINT INFORMATION.**

14 (a) *ESTABLISHMENT OF SYSTEM.*—*Not later than 1*
15 *year after the date of enactment of this Act, the Secretary*
16 *shall—*

17 (1) *establish a system for filing and logging con-*
18 *sumer complaints relating to motor carriers pro-*
19 *viding transportation of household goods and for com-*
20 *piling complaint information gathered by the Depart-*
21 *ment of Transportation and the States with regard to*
22 *such carriers, a database of the complaints, and a*
23 *procedure for the public to have access to aggregated*
24 *information and for carriers to challenge duplicate or*
25 *fraudulent information in the database; and*

1 (2) *issue regulations requiring each motor car-*
2 *rier of household goods to submit on a quarterly basis*
3 *a report summarizing—*

4 (A) *the number of shipments that originate*
5 *and are delivered for individual shippers during*
6 *the reporting period by the carrier;*

7 (B) *the number and general category of*
8 *complaints lodged by consumers with the carrier;*

9 (C) *the number of claims filed with the car-*
10 *rier for loss and damage in excess of \$500;*

11 (D) *the number of such claims resolved dur-*
12 *ing the reporting period;*

13 (E) *the number of such claims declined in*
14 *the reporting period; and*

15 (F) *the number of such claims that are*
16 *pending at the close of the reporting period.*

17 (b) *USE OF INFORMATION.—The Secretary shall con-*
18 *sider information in the data base established under sub-*
19 *section (a) in its household goods compliance and enforce-*
20 *ment program.*

21 **SEC. 4209. INSURANCE REGULATIONS.**

22 (a) *REVIEW.—Not later than 1 year after the date of*
23 *enactment of this Act, the Secretary shall undertake a re-*
24 *view of the current Federal regulations regarding insurance*
25 *coverage provided by motor carriers providing transpor-*

1 *tation of household goods and revise such regulations in*
2 *order to provide enhanced protection for shippers in the case*
3 *of loss or damage as determined necessary.*

4 *(b) DETERMINATIONS.—The review shall include, but*
5 *not be limited to, a determination of—*

6 *(1) whether the current regulations provide ade-*
7 *quate protection for shippers;*

8 *(2) whether an individual shipper should pur-*
9 *chase insurance as opposed to the carrier; and*

10 *(3) whether there are abuses of the current regu-*
11 *lations that leave the shipper unprotected in loss and*
12 *damage claims.*

13 **SEC. 4210. ESTIMATING REQUIREMENTS.**

14 *Section 14104(b)(1) of title 49, United States Code, is*
15 *amended to read as follows:*

16 *“(1) REQUIRED TO BE IN WRITING.—*

17 *“(A) IN GENERAL.—Except as otherwise*
18 *provided in this subsection, every motor carrier*
19 *providing transportation of household goods de-*
20 *scribed in section 13102(10)(A) subject to juris-*
21 *isdiction under subchapter I of chapter 135 shall*
22 *conduct a physical survey of the household goods*
23 *to be transported on behalf of a prospective indi-*
24 *vidual shipper and shall provide the shipper*

1 with a written estimate of charges for the trans-
2 portation and all related services.

3 “(B) *WAIVER.*—A shipper may elect to
4 waive a physical survey under this paragraph by
5 written agreement signed by the shipper before
6 the shipment is loaded. A copy of the waiver
7 agreement must be retained as an addendum to
8 the bill of lading and shall be subject to the same
9 record inspection and preservation requirements
10 of the Secretary as are applicable to bills of lad-
11 ing.

12 “(C) *ESTIMATE.*—

13 “(i) *IN GENERAL.*—Notwithstanding a
14 waiver under subparagraph (B), a carrier’s
15 statement of charges for transportation
16 must be submitted to the shipper in writing
17 and must indicate whether it is binding or
18 nonbinding.

19 “(ii) *BINDING.*—A binding estimate
20 under this paragraph must indicate that
21 the carrier and shipper are bound by such
22 charges. The carrier may impose a charge
23 for providing a written binding estimate.

24 “(iii) *NONBINDING.*—A nonbinding es-
25 timate under this paragraph must indicate

1 that the actual charges will be based upon
2 the actual weight of the individual shipper's
3 shipment and the carrier's lawful tariff
4 charges. The carrier may not impose a
5 charge for providing a nonbinding esti-
6 mate.”.

7 **SEC. 4211. APPLICATION OF STATE CONSUMER PROTEC-**
8 **TION LAWS TO CERTAIN HOUSEHOLD GOODS**
9 **CARRIERS.**

10 (a) *STUDY.*—The Comptroller General shall conduct a
11 study on the current consumer protection authorities and
12 actions of the Department of Transportation and the im-
13 pact on shippers and carriers of household goods involved
14 in interstate transportation of allowing State attorneys
15 general to apply State consumer protection laws to such
16 transportation.

17 (b) *MATTERS TO BE CONSIDERED.*—In conducting the
18 study, the Comptroller General shall consider, at a min-
19 imum—

20 (1) the level of consumer protection being pro-
21 vided to consumers through Federal household goods
22 regulations and how household goods regulations re-
23 lating to consumer protection compare to regulations
24 relating to consumer protection for other modes of

1 *transportation regulated by the Department of Trans-*
2 *portation;*

3 (2) *the history and background of State enforce-*
4 *ment of State consumer protection laws on household*
5 *goods carriers providing intrastate transportation*
6 *and what effects such laws have on the ability of*
7 *intrastate household goods carriers to operate;*

8 (3) *what operational impacts, if any, would re-*
9 *sult on household goods carriers engaged in interstate*
10 *commerce being subject to the State consumer protec-*
11 *tion laws; and*

12 (4) *the potential for States to regulate rates or*
13 *other business operations if State consumer protection*
14 *laws applied to interstate household goods movements.*

15 (c) *CONSULTATION.*—*In conducting the study, the*
16 *Comptroller General shall consult with the Secretary, State*
17 *attorneys general, consumer protection agencies, and the*
18 *household goods industry.*

19 (d) *REPORT.*—*Not later than 18 months after the date*
20 *of enactment of this Act, the Comptroller General shall*
21 *transmit to the Committee of Transportation and Infra-*
22 *structure of the House of Representatives and the Committee*
23 *on Commerce, Science and Transportation of the Senate a*
24 *report on the results of the study.*

1 **SEC. 4212. APPLICABILITY TO HOUSEHOLD GOODS MOTOR**
2 **CARRIERS.**

3 (a) *IN GENERAL.*—*The provisions of title 49, United*
4 *States Code, and this Act (including any amendments made*
5 *by this Act) relating to the transportation of household*
6 *goods shall only apply to household goods motor carriers.*

7 (b) *HOUSEHOLD GOODS MOTOR CARRIER DEFINED.*—
8 *In this section, the term “household goods motor carrier”*
9 *means a motor carrier as defined in section 13102(12) of*
10 *title 49, United States Code, which, in the ordinary course*
11 *of its business of providing transportation of household*
12 *goods, offers some or all of the following additional services:*
13 *binding and nonbinding estimates, inventorying, protective*
14 *packing and unpacking of individual items, and loading*
15 *and unloading at personal residences.*

16 **SEC. 4213. VIOLATIONS OF OUT-OF-SERVICE ORDERS.**

17 *Section 31310(i)(2) of title 49, United States Code, is*
18 *amended by adding at the end the following:*

19 *“(D) an employer that knowingly and willfully*
20 *allows or requires an employee to operate a commer-*
21 *cial motor vehicle in violation of an out-of-service*
22 *order shall, upon conviction, be subject for each of-*
23 *fense to imprisonment for a term not to exceed one*
24 *year or a fine under title 18, or both.”.*

1 **SEC. 4214. CRIMINAL PENALTY FOR HOLDING GOODS HOS-**
 2 **TAGE .**

3 *Section 14915 of title 49, United States Code, as added*
 4 *by section 4204 of this Act is amended by adding at the*
 5 *end the following:*

6 “(c) *CRIMINAL PENALTY.—A motor carrier that has*
 7 *been convicted of knowingly and willfully holding household*
 8 *goods hostage by falsifying documents or demanding the*
 9 *payment of charges for services that were not performed or*
 10 *were not necessary in the safe and adequate movement of*
 11 *a shipment of household goods shall be fined under title 18,*
 12 *or imprisoned not more than 2 years, or both.”.*

13 **TITLE V—TRANSPORTATION**
 14 **RESEARCH AND EDUCATION**
 15 **Subtitle A—Funding**

16 **SEC. 5101. AUTHORIZATION OF APPROPRIATIONS.**

17 (a) *IN GENERAL.—The following sums are authorized*
 18 *to be appropriated out of the Highway Trust Fund (other*
 19 *than the Mass Transit Account):*

20 (1) *SURFACE TRANSPORTATION RESEARCH, DE-*
 21 *VELOPMENT, AND DEPLOYMENT PROGRAM.—To carry*
 22 *out sections 502, 503, 506, 507, 509, and 510 of title*
 23 *23, United States Code, and sections 5207, 5210,*
 24 *5211, and 5402 of this title—*

25 (A) \$169,000,000 for fiscal year 2004;

26 (B) \$239,500,000 for fiscal year 2005;

1 (C) \$239,500,000 for fiscal year 2006;

2 (D) \$239,500,000 for fiscal year 2007;

3 (E) \$239,500,000 for fiscal year 2008; and

4 (F) \$239,500,000 for fiscal year 2009.

5 (2) *TRAINING AND EDUCATION.*—To carry out
6 section 504 of title 23, United States Code, and sec-
7 tion 5211 of this Act, \$24,500,000 for fiscal year 2004
8 and \$33,500,000 for each of fiscal years 2005 through
9 2009.

10 (3) *BUREAU OF TRANSPORTATION STATISTICS.*—
11 For the Bureau of Transportation Statistics to carry
12 out section 111 of title 49, United States Code,
13 \$31,000,000 for fiscal year 2004 and \$33,000,000 for
14 each of fiscal years 2005 through 2009.

15 (4) *UNIVERSITY TRANSPORTATION RESEARCH.*—
16 To carry out sections 5505 and 5506 of title 49,
17 United States Code, \$54,500,000 for fiscal year 2004
18 and \$71,000,000 for each of fiscal years 2005 through
19 2009.

20 (5) *INTELLIGENT TRANSPORTATION SYSTEMS*
21 *(ITS) RESEARCH.*—To carry out subtitle F of this
22 title, \$115,000,000 for each of fiscal years 2004
23 through 2009.

24 (6) *ITS DEPLOYMENT.*—To carry out sections
25 5208 and 5209 of the Transportation Equity Act for

1 *the 21st Century (112 Stat. 458; 112 Stat. 460),*
2 *\$100,000,000 for fiscal years 2004 and 2005.*

3 *(b) APPLICABILITY OF TITLE 23, UNITED STATES*
4 *CODE.—Funds authorized to be appropriated by subsection*
5 *(a) shall be available for obligation in the same manner*
6 *as if such funds were apportioned under chapter 1 of title*
7 *23, United States Code; except that the Federal share of the*
8 *cost of a project or activity carried out using such funds*
9 *shall be 50 percent, unless otherwise expressly provided by*
10 *this Act (including the amendments made by this Act) or*
11 *otherwise determined by the Secretary, and such funds shall*
12 *remain available until expended and shall not be transfer-*
13 *able.*

14 **SEC. 5102. OBLIGATION CEILING.**

15 *Notwithstanding any other provision of law, the total*
16 *of all obligations from amounts made available from the*
17 *Highway Trust Fund (other than the Mass Transit Ac-*
18 *count) by sections 5101(a) and 5401 of this Act shall not*
19 *exceed \$483,000,000 for fiscal year 2004, \$484,000,000 for*
20 *fiscal year 2005, \$485,000,000 for fiscal year 2006,*
21 *\$485,000,000 for fiscal year 2007, \$486,000,000 for fiscal*
22 *year 2008, and \$487,000,000 for fiscal year 2009.*

23 **SEC. 5103. FINDINGS.**

24 *Congress finds the following:*

1 (1) *Research and development are critical to de-*
2 *veloping and maintaining a transportation system*
3 *that meets the goals of safety, mobility, economic vi-*
4 *talidity, efficiency, equity, and environmental protec-*
5 *tion.*

6 (2) *Federally sponsored surface transportation*
7 *research and development has produced many suc-*
8 *cesses. The development of rumble strips has increased*
9 *safety; research on materials has increased the life-*
10 *span of pavements, saving money and reducing the*
11 *disruption caused by construction; and Geographic*
12 *Information Systems have improved the management*
13 *and efficiency of transit fleets.*

14 (3) *Despite these important successes, the Federal*
15 *surface transportation research and development in-*
16 *vestment represents less than one percent of overall*
17 *government spending on surface transportation.*

18 (4) *While Congress increased funding for overall*
19 *transportation programs by about 40 percent in the*
20 *Transportation Equity Act for the 21st Century,*
21 *funding for transportation research and development*
22 *remained relatively flat.*

23 (5) *The Federal investment in research and de-*
24 *velopment should be balanced between short-term ap-*
25 *plied and long-term fundamental research and devel-*

1 **“CHAPTER 5—RESEARCH, TECHNOLOGY,**
2 **AND EDUCATION”.**

3 **(b) STATEMENT OF PRINCIPLES GOVERNING RE-**
4 **SEARCH AND TECHNOLOGY INVESTMENTS.—Section 502 of**
5 *such title is amended—*

6 (1) *by redesignating subsections (a) through (g)*
7 *as subsections (b) through (h), respectively; and*

8 (2) *by inserting before subsection (b) (as so re-*
9 *designated) the following:*

10 **“(a) BASIC PRINCIPLES GOVERNING RESEARCH AND**
11 **TECHNOLOGY INVESTMENTS.—**

12 **“(1) COVERAGE.—***Surface transportation re-*
13 *search and technology development shall include all*
14 *activities leading to technology development and*
15 *transfer, as well as the introduction of new and inno-*
16 *vative ideas, practices, and approaches, through such*
17 *mechanisms as field applications, education and*
18 *training, and technical support.*

19 **“(2) FEDERAL RESPONSIBILITY.—***Funding and*
20 *conducting surface transportation research and tech-*
21 *nology transfer activities shall be considered a basic*
22 *responsibility of the Federal Government when the*
23 *work—*

24 **“(A) is of national significance;**

1 “(B) supports research in which there is a
2 clear public benefit and private sector investment
3 is less than optimal;

4 “(C) supports a Federal stewardship role in
5 assuring that State and local governments use
6 national resources efficiently; or

7 “(D) presents the best means to support
8 Federal policy goals compared to other policy al-
9 ternatives.

10 “(3) *ROLE*.—Consistent with these Federal re-
11 sponsibilities, the Secretary shall—

12 “(A) conduct research;

13 “(B) support and facilitate research and
14 technology transfer activities by State highway
15 agencies;

16 “(C) share results of completed research;
17 and

18 “(D) support and facilitate technology and
19 innovation deployment.

20 “(4) *PROGRAM CONTENT*.—A surface transpor-
21 tation research program shall include—

22 “(A) fundamental, long-term highway re-
23 search;

1 “(B) research aimed at significant highway
2 research gaps and emerging issues with national
3 implications; and

4 “(C) research related to policy and plan-
5 ning.

6 “(5) *STAKEHOLDER INPUT.*—Federal surface
7 transportation research and development activities
8 shall address the needs of stakeholders. Stakeholders
9 include States, metropolitan planning organizations,
10 local governments, the private sector, researchers, re-
11 search sponsors, and other affected parties, including
12 public interest groups.

13 “(6) *COMPETITION AND PEER REVIEW.*—Except
14 as otherwise provided in this Act, the Secretary shall
15 award all grants, contracts, and cooperative agree-
16 ments for research and development under this Act
17 based on open competition and peer review of pro-
18 posals.

19 “(7) *PERFORMANCE REVIEW AND EVALUATION.*—
20 To the maximum extent practicable, all surface trans-
21 portation research and development projects shall in-
22 clude a component of performance measurement and
23 evaluation. Performance measures shall be established
24 during the proposal stage of a research and develop-
25 ment project and shall, to the maximum extent pos-

1 sible, be outcome-based. All evaluations shall be made
2 readily available to the public.”.

3 (c) *PROCUREMENT FOR RESEARCH, DEVELOPMENT,*
4 *AND TECHNOLOGY TRANSFER ACTIVITIES.*—Section
5 502(b)(3) of such title (as redesignated by subsection (b) of
6 this section) is amended to read as follows:

7 “(3) *COOPERATION, GRANTS, AND CONTRACTS.*—
8 *The Secretary may carry out research, development,*
9 *and technology transfer activities related to transpor-*
10 *tation—*

11 “(A) *independently;*

12 “(B) *in cooperation with other Federal de-*
13 *partments, agencies, and instrumentalities and*
14 *Federal laboratories; or*

15 “(C) *by making grants to, or entering into*
16 *contracts, cooperative agreements, and other*
17 *transactions with one or more of the following:*
18 *the National Academy of Sciences, the American*
19 *Association of State Highway and Transpor-*
20 *tation Officials, any Federal laboratory, Federal*
21 *agency, State agency, authority, association, in-*
22 *stitution, for-profit or nonprofit corporation, or-*
23 *ganization, foreign country, any other person.”.*

24 (d) *TRANSPORTATION POOLED FUND PROGRAM.*—Sec-
25 tion 502(b) of such title (as redesignated by subsection (b)

1 of this section), is amended by adding at the end the fol-
2 lowing:

3 “(6) *POOLED FUNDING.*—

4 “(A) *COOPERATION.*—To promote effective
5 utilization of available resources, the Secretary
6 may cooperate with a State and an appropriate
7 agency in funding research, development, and
8 technology transfer activities of mutual interest
9 on a pooled funds basis.

10 “(B) *SECRETARY AS AGENT.*—The Secretary
11 may enter into contracts, cooperative agreements,
12 grants, and other transactions as agent for all
13 participating parties in carrying out such re-
14 search, development, or technology transfer.”.

15 (e) *OPERATIONS ELEMENTS IN RESEARCH ACTIVI-*
16 *TIES.*—Section 502 of such title is further amended—

17 (1) in subsection (b)(1)(B) (as redesignated by
18 subsection (b) of this section) by inserting “transportation system management and operations,” after
19 “operation,”.

21 (2) in subsection (d)(5)(C) (as redesignated by
22 subsection (b) of this section) by inserting “system
23 management and” after “transportation”; and

1 (3) *by inserting at the end of subsection (d) (as*
2 *redesignated by subsection (b) of this section) the fol-*
3 *lowing:*

4 “(12) *Investigation and development of various*
5 *operational methodologies to reduce the occurrence*
6 *and impact of recurrent congestion and nonrecurrent*
7 *congestion and increase transportation system reli-*
8 *ability.*

9 “(13) *Investigation of processes, procedures, and*
10 *technologies to secure container and hazardous mate-*
11 *rial transport, including the evaluation of regulations*
12 *and the impact of good security practices on com-*
13 *merce and productivity.*

14 “(14) *Research, development, and technology*
15 *transfer related to asset management.”.*

16 (f) *FACILITATING TRANSPORTATION RESEARCH AND*
17 *TECHNOLOGY DEPLOYMENT PARTNERSHIPS.—Section*
18 *502(c)(2) of such title (as redesignated by subsection (b) of*
19 *this section) is amended to read as follows:*

20 “(2) *COOPERATION, GRANTS, CONTRACTS, AND*
21 *AGREEMENTS.—Notwithstanding any other provision*
22 *of law, the Secretary may directly initiate contracts,*
23 *cooperative research and development agreements (as*
24 *defined in section 12 of the Stevenson-Wydler Tech-*
25 *nology Innovation Act of 1980 (15 U.S.C. 3710a)),*

1 *and other transactions to fund, and accept funds*
2 *from, the Transportation Research Board of the Na-*
3 *tional Research Council of the National Academy of*
4 *Sciences, State departments of transportation, cities,*
5 *counties, and their agents to conduct joint transpor-*
6 *tation research and technology efforts.”.*

7 *(g) EXPLORATORY ADVANCED RESEARCH PROGRAM.—*
8 *Section 502(e) of such title (as redesignated by subsection*
9 *(b) of this section) is amended to read as follows:*

10 *“(e) EXPLORATORY ADVANCED RESEARCH.—*

11 *“(1) IN GENERAL.—The Secretary shall establish*
12 *an exploratory advanced research program, consistent*
13 *with the surface transportation research and tech-*
14 *nology development strategic plan developed under*
15 *section 508 that involves and draws upon basic re-*
16 *search results to provide a better understanding of*
17 *problems and develop innovative solutions. In car-*
18 *rying out the program, the Secretary shall strive to*
19 *develop partnerships with public and private sector*
20 *entities.*

21 *“(2) RESEARCH AREAS.—In carrying out the*
22 *program, the Secretary may make grants and enter*
23 *into cooperative agreements and contracts in such*
24 *areas of surface transportation research and tech-*

1 *nology as the Secretary determines appropriate, in-*
2 *cluding the following:*

3 *“(A) Characterization of materials used in*
4 *highway infrastructure, including analytical*
5 *techniques, microstructure modeling, and the de-*
6 *terioration processes.*

7 *“(B) Assessment of the effects of transpor-*
8 *tation decisions on human health.*

9 *“(C) Development of surrogate measures of*
10 *safety.*

11 *“(D) Environmental research.*

12 *“(E) Data acquisition techniques for system*
13 *condition and performance monitoring.*

14 *“(F) System performance data and infor-*
15 *mation processing needed to assess the day-to-*
16 *day operational performance of the system in*
17 *support of hour-to-hour operational decision-*
18 *making.”.*

19 *(h) LONG-TERM PAVEMENT PERFORMANCE PRO-*
20 *GRAM.—*

21 *(1) IN GENERAL.—Section 502(f) of such title (as*
22 *redesignated by subsection (b) of this section) is*
23 *amended to read as follows:*

24 *“(f) LONG-TERM PAVEMENT PERFORMANCE PRO-*
25 *GRAM.—*

1 “(1) *AUTHORITY.*—*The Secretary shall complete*
2 *the 20-year long-term pavement performance program*
3 *tests initiated under the strategic highway research*
4 *program established under section 307(d) (as in effect*
5 *on June 8, 1998).*

6 “(2) *GRANTS, COOPERATIVE AGREEMENTS, AND*
7 *CONTRACTS.*—*Under the program, the Secretary shall*
8 *make grants and enter into cooperative agreements*
9 *and contracts to—*

10 “(A) *monitor, material-test, and evaluate*
11 *highway test sections in existence as of the date*
12 *of the grant, agreement, or contract;*

13 “(B) *analyze the data obtained under sub-*
14 *paragraph (A); and*

15 “(C) *prepare products to fulfill program ob-*
16 *jectives and meet future pavement technology*
17 *needs.”.*

18 “(2) *FUNDING.*—*Of the amounts made available*
19 *by section 5101(a)(1) of this Act, \$10,000,000 for fis-*
20 *cal year 2004 and \$21,000,000 for each of fiscal years*
21 *2005 through 2009 shall be available to carry out sec-*
22 *tion 502(f) of title 23, United States Code.*

23 “(i) *TURNER-FAIRBANK HIGHWAY RESEARCH CEN-*
24 *TER.*—*Section 502 of title 23, United States Code, is further*
25 *amended by adding at the end the following:*

1 “(i) *TURNER-FAIRBANK HIGHWAY RESEARCH CEN-*
2 *TER.*—

3 “(1) *IN GENERAL.*—*The Secretary shall operate*
4 *in the Federal Highway Administration a Turner-*
5 *Fairbank Highway Research Center.*

6 “(2) *USES OF THE CENTER.*—*The Turner-*
7 *Fairbank Highway Research Center shall support—*

8 “(A) *the conduct of highway research and*
9 *development related to new highway technology;*

10 “(B) *the development of understandings,*
11 *tools, and techniques that provide solutions to*
12 *complex technical problems through the develop-*
13 *ment of economical and environmentally sen-*
14 *sitive designs, efficient and quality-controlled*
15 *construction practices, and durable materials;*
16 *and*

17 “(C) *the development of innovative highway*
18 *products and practices.”.*

19 “(j) *UNIVERSITY FUNDING.*—*Except as otherwise pro-*
20 *vided in this title and any amendments made by this title,*
21 *the Secretary may not provide financial assistance to a*
22 *university under section 5101 unless the university is se-*
23 *lected to receive such funds through a competitive process*
24 *that incorporates merit-based peer review and the selection*
25 *is based on a proposal submitted to the Secretary by the*

1 *university in response to a request for proposals issued by*
2 *the Secretary.*

3 **SEC. 5202. LONG-TERM BRIDGE PERFORMANCE PROGRAM;**
4 **INNOVATIVE BRIDGE RESEARCH AND DE-**
5 **PLOYMENT PROGRAM.**

6 *(a) LONG-TERM BRIDGE PERFORMANCE PROGRAM.—*

7 *(1) IN GENERAL.—Section 502 of title 23,*
8 *United States Code, is further amended by adding at*
9 *the end the following:*

10 *“(j) LONG-TERM BRIDGE PERFORMANCE PROGRAM.—*

11 *“(1) AUTHORITY.—The Secretary shall establish*
12 *a 20-year long-term bridge performance program.*

13 *“(2) GRANTS, COOPERATIVE AGREEMENTS, AND*
14 *CONTRACTS.—Under the program, the Secretary shall*
15 *make grants and enter into cooperative agreements*
16 *and contracts to—*

17 *“(A) monitor, material-test, and evaluate*
18 *test bridges;*

19 *“(B) analyze the data obtained under sub-*
20 *paragraph (A); and*

21 *“(C) prepare products to fulfill program ob-*
22 *jectives and meet future bridge technology*
23 *needs.”.*

24 *(2) FUNDING.—Of the amounts made available*
25 *by section 5101(a)(1) of this Act, \$5,000,000 for fiscal*

1 *year 2004 and \$15,000,000 for each of fiscal years*
2 *2005 through 2009 shall be available to carry out sec-*
3 *tion 502(j) of title 23, United States Code.*

4 *(b) INNOVATIVE BRIDGE RESEARCH AND DEPLOYMENT*
5 *PROGRAM.—*

6 *(1) IN GENERAL.—Section 503(b)(1) of such title*
7 *is amended to read as follows:*

8 *“(1) IN GENERAL.—The Secretary shall establish*
9 *and carry out a program to promote, demonstrate,*
10 *evaluate, and document the application of innovative*
11 *designs, materials, and construction methods in the*
12 *construction, repair, and rehabilitation of bridges and*
13 *other highway structures.”.*

14 *(2) GOALS.—Section 503(b)(2) of such title is*
15 *amended to read as follows:*

16 *“(2) GOALS.—The goals of the program shall in-*
17 *clude—*

18 *“(A) the development of new, cost-effective,*
19 *innovative highway bridge applications;*

20 *“(B) the development of construction tech-*
21 *niques to increase safety and reduce construction*
22 *time and traffic congestion;*

23 *“(C) the development of engineering design*
24 *criteria for innovative products, materials, and*

1 *structural systems for use in highway bridges*
2 *and structures;*

3 “(D) *the reduction of maintenance costs and*
4 *life-cycle costs of bridges, including the costs of*
5 *new construction, replacement, or rehabilitation*
6 *of deficient bridges;*

7 “(E) *the development of highway bridges*
8 *and structures that will withstand natural disas-*
9 *ters;*

10 “(F) *the documentation and wide dissemi-*
11 *nation of objective evaluations of the performance*
12 *and benefits of these innovative designs, mate-*
13 *rials, and construction methods;*

14 “(G) *the effective transfer of resulting infor-*
15 *mation and technology; and*

16 “(H) *the development of improved methods*
17 *to detect bridge scour and economical bridge*
18 *foundation designs that will withstand bridge*
19 *scour.”.*

20 (3) *FUNDING.—*

21 (A) *IN GENERAL.—Of the amounts made*
22 *available by section 5101(a)(1) of this Act,*
23 *\$20,000,000 for each of fiscal years 2004 through*
24 *2009 shall be available to carry out section*
25 *503(b) of title 23, United States Code; and*

1 (B) *HIGH PERFORMANCE CONCRETE*
2 *BRIDGE TECHNOLOGY RESEARCH AND DEPLOY-*
3 *MENT.—The Secretary shall obligate \$2,000,000*
4 *of the amount described in subparagraph (A) for*
5 *each of fiscal years 2004 through 2009 to conduct*
6 *research and deploy technology related to high-*
7 *performance concrete bridges.*

8 **SEC. 5203. SURFACE TRANSPORTATION ENVIRONMENT AND**
9 **PLANNING COOPERATIVE RESEARCH PRO-**
10 **GRAM.**

11 (a) *IN GENERAL.—Section 507 of title 23, United*
12 *States Code, is amended to read as follows:*

13 **“§ 507. Surface Transportation environment and**
14 **planning cooperative research program**

15 “(a) *ESTABLISHMENT.—The Secretary shall establish*
16 *and carry out a collaborative, public-private surface trans-*
17 *portation environment and planning cooperative research*
18 *program.*

19 “(b) *AGREEMENT.—The Secretary shall enter into an*
20 *agreement with the National Academy of Sciences to carry*
21 *out administrative and management activities relating to*
22 *the governance of the surface transportation environment*
23 *and planning cooperative research program.*

24 “(c) *ADVISORY COMMITTEE.—*

1 “(1) *ESTABLISHMENT.*—*The Secretary shall es-*
2 *tablish a committee that will be responsible for pro-*
3 *gram oversight and project selection.*

4 “(2) *MEMBERSHIP.*—*The members of the com-*
5 *mittee shall be appointed by the Secretary and shall*
6 *be composed of—*

7 “(A) *representatives of State, regional, and*
8 *local transportation agencies, including transit*
9 *agencies;*

10 “(B) *representatives of State environmental*
11 *agencies and other environmental organizations;*

12 “(C) *representatives of the transportation*
13 *private sector;*

14 “(D) *transportation and environmental sci-*
15 *entists and engineers; and*

16 “(E) *representatives of the Federal High-*
17 *way Administration, Federal Transit Adminis-*
18 *tration, Environmental Protection Agency,*
19 *United States Fish and Wildlife Service, Corps*
20 *of Engineers, American Association of State*
21 *Highway and Transportation Officials, and*
22 *American Public Transportation Association,*
23 *who shall serve in an ex officio capacity.*

1 “(3) *BALANCE.*—*The majority of the committee’s*
2 *voting members shall be representatives of government*
3 *transportation agencies.*

4 “(4) *MEETINGS.*—*The National Academy of*
5 *Sciences shall convene meetings of the committee.*

6 “(d) *GOVERNANCE.*—*The program established under*
7 *this section shall include the following administrative and*
8 *management elements:*

9 “(1) *NATIONAL RESEARCH AGENDA.*—*The advi-*
10 *sory committee, in consultation with interested par-*
11 *ties, shall carry out and periodically update research*
12 *and development called for in the Transportation Re-*
13 *search Board Special Report 268, entitled ‘Surface*
14 *Transportation Environmental Research: A Long-*
15 *Term Strategy’ and published in 2002, as described*
16 *in subsection (e). The national research agenda shall*
17 *include a multiyear strategic plan.*

18 “(2) *INVOLVEMENT.*—*Interested parties may—*

19 “(A) *submit research proposals;*

20 “(B) *participate in merit reviews of re-*
21 *search proposals and peer reviews of research*
22 *products; and*

23 “(C) *receive research results.*

24 “(3) *OPEN COMPETITION AND PEER REVIEW OF*
25 *RESEARCH PROPOSALS.*—*The National Academy of*

1 *Sciences may award under the program research con-*
2 *tracts and grants through open competition and merit*
3 *review conducted on a regular basis.*

4 “(4) *EVALUATION OF RESEARCH.*—

5 “(A) *PEER REVIEW.*—*Research contracts*
6 *and grants may allow peer review of the research*
7 *results.*

8 “(B) *PROGRAMMATIC EVALUATIONS.*—*The*
9 *National Academy of Sciences may conduct peri-*
10 *odic programmatic evaluations on a regular*
11 *basis.*

12 “(5) *DISSEMINATION OF RESEARCH FINDINGS.*—
13 *The National Academy of Sciences shall disseminate*
14 *research findings to researchers, practitioners, and de-*
15 *cisionmakers, through conferences and seminars, field*
16 *demonstrations, workshops, training programs, pres-*
17 *entations, testimony to government officials, World*
18 *Wide Web, and publications for the general public.*

19 “(e) *CONTENTS.*—*The national research agenda for the*
20 *program required under subsection (d)(1) shall include re-*
21 *search in the following areas for the purposes described:*

22 “(1) *HUMAN HEALTH.*—*Human health to estab-*
23 *lish the links between transportation activities and*
24 *human health; substantiate the linkages between expo-*
25 *sure to concentration levels, emissions, and health im-*

1 *pacts; examine the potential health impacts from the*
2 *implementation and operation of transportation in-*
3 *frastructure and services; develop strategies for avoid-*
4 *ance and reduction of these impacts; and develop*
5 *strategies to understand the economic value of health*
6 *improvements and for incorporating health consider-*
7 *ations into valuation methods.*

8 *“(2) ECOLOGY AND NATURAL SYSTEMS.—Ecology*
9 *and natural systems to measure transportation’s*
10 *short- and long-term impact on natural systems; de-*
11 *velop ecologically based performance measures; de-*
12 *velop insight into both the spatial and temporal*
13 *issues associated with transportation and natural sys-*
14 *tems; study the relationship between highway density*
15 *and ecosystem integrity, including the impacts of*
16 *highway density on habitat integrity and overall eco-*
17 *system health; develop a rapid assessment method-*
18 *ology for use by transportation and regulatory agen-*
19 *cies in determining the relationship between highway*
20 *density and ecosystem integrity; and develop eco-*
21 *logically based performance techniques to evaluate the*
22 *success of highway project mitigation and enhance-*
23 *ment measures.*

24 *“(3) ENVIRONMENTAL AND SOCIOECONOMIC RE-*
25 *LATIONSHIPS.—Environmental and socioeconomic re-*

1 *relationships to understand differences in mobility, ac-*
2 *cess, travel behavior, and travel preferences across so-*
3 *sioeconomic groups; develop improved planning ap-*
4 *proaches that better reflect and respond to community*
5 *needs; improve evaluation methods for examining the*
6 *incidence of benefits and costs; examine the differen-*
7 *tial impacts of current methods of finance and explore*
8 *alternatives; understand the socioeconomic implica-*
9 *tions of emerging land development patterns and new*
10 *transportation technologies; develop cost-effective ap-*
11 *plications of technology that improve the equity of the*
12 *transport system; and develop improved methods for*
13 *community involvement, collaborative planning, and*
14 *conflict resolution.*

15 *“(4) EMERGING TECHNOLOGIES.—Emerging*
16 *technologies to assist in the transition to environ-*
17 *mentally benign fuels and vehicles for passengers and*
18 *freight; develop responses to and demand for new*
19 *technologies that could offer improved environmental*
20 *performance; identify possible applications of intel-*
21 *ligent transportation systems technologies for environ-*
22 *mental benefit; develop policy instruments that would*
23 *encourage the development of beneficial new tech-*
24 *nologies in a cost-effective manner; and respond to the*
25 *impact of new technologies.*

1 “(5) *LAND USE.*—*Land use to assess land con-*
2 *sumption trends and contributing factors of transpor-*
3 *tation investment, housing policies, school quality,*
4 *and consumer preferences; incorporate impacts of*
5 *transportation investments on location decision and*
6 *land use; identify the costs and benefits of current de-*
7 *velopment patterns and their transportation implica-*
8 *tions; determine the effect of the built environment on*
9 *people’s willingness to walk, drive, or take public*
10 *transportation; determine the roles of public policy*
11 *and institutional arrangements in current and pro-*
12 *spective land use and transportation choices; and de-*
13 *velop improved data, methods, and processes for con-*
14 *sidering land use, transportation, and the environ-*
15 *ment in an integrated, systematic fashion.*

16 “(6) *PLANNING AND PERFORMANCE MEAS-*
17 *URES.*—*Planning and performance measures to im-*
18 *prove understanding of travel needs and preferences;*
19 *improve planning methods for system analysis, fore-*
20 *casting, and decisionmaking; expand information on*
21 *consumer choice processes and travel and activity*
22 *patterns for both local and long-distance trips and*
23 *both passenger and freight transportation analysis of*
24 *social, environmental, and economic benefits and cost*
25 *of various transport options; develop tools for meas-*

1 *uring and forecasting complex transportation deci-*
2 *sions for all modes and users; and develop perform-*
3 *ance measures and policy analysis approaches that*
4 *can be used to determine effectiveness.*

5 *“(7) OTHER RESEARCH AREAS.—Other research*
6 *areas to identify and address the emerging and future*
7 *surface transportation research needs related to plan-*
8 *ning and environment.*

9 *“(f) FEDERAL SHARE.—The Federal share of the cost*
10 *of an activity carried out under this section shall be up*
11 *to 100 percent, and such funds shall remain available until*
12 *expended.*

13 *“(g) USE OF NON-FEDERAL FUNDS.—In addition to*
14 *using funds authorized to be appropriated to carry out this*
15 *section, the National Academy of Sciences may seek and*
16 *accept additional funding sources to carry out this section*
17 *from public and private entities capable of attracting and*
18 *accepting funding from the Department of Transportation,*
19 *Environmental Protection Agency, Department of Energy,*
20 *United States Fish and Wildlife Service, and other Federal*
21 *environmental agencies, States, local governments, non-*
22 *profit foundations, and the private sector.”.*

23 *(b) CONFORMING AMENDMENT.—The analysis for*
24 *chapter 5 of such title is amended by striking the item relat-*
25 *ing to section 507 and inserting the following:*

“507. Surface transportation environment and planning cooperative research program.”.

1 (c) *FUNDING.*—Of the amounts made available by sec-
2 tion 5101(a)(1) of this Act, \$5,000,000 for fiscal year 2004
3 and \$15,000,000 for each of fiscal years 2005 through 2009
4 shall be available to carry out section 507 of title 23, United
5 States Code.

6 **SEC. 5204. TECHNOLOGY DEPLOYMENT.**

7 (a) *TECHNOLOGY DEPLOYMENT PROGRAM.*—Section
8 503(a) of title 23, United States Code, is amended—

9 (1) in the subsection heading by striking “*INI-*
10 *TIATIVES AND PARTNERSHIPS*”;

11 (2) by striking paragraph (1) and inserting the
12 following:

13 “(1) *ESTABLISHMENT.*—The Secretary shall de-
14 velop and administer a national technology deploy-
15 ment program.”;

16 (3) by striking paragraph (7) and inserting the
17 following:

18 “(7) *GRANTS, COOPERATIVE AGREEMENTS, AND*
19 *CONTRACTS.*—

20 “(A) *IN GENERAL.*—Under the program, the
21 Secretary shall make grants to, and enter into
22 cooperative agreements and contracts with,
23 States, other Federal agencies, universities and
24 colleges, private sector entities, and nonprofit or-

1 *ganizations to pay the Federal share of the cost*
2 *of research, development, and technology transfer*
3 *activities concerning innovative materials.*

4 “(B) *APPLICATIONS.—To receive a grant*
5 *under this subsection, an entity described in sub-*
6 *paragraph (A) shall submit an application to*
7 *the Secretary. The application shall be in such*
8 *form and contain such information as the Sec-*
9 *retary may require. The Secretary shall select*
10 *and approve an application based on whether*
11 *the project that is the subject of the grant meets*
12 *the purpose of the program described in para-*
13 *graph (2).”;* and

14 *(4) by striking paragraph (8) and inserting the*
15 *following:*

16 “(8) *TECHNOLOGY AND INFORMATION TRANS-*
17 *FER.—The Secretary shall ensure that the informa-*
18 *tion and technology resulting from research conducted*
19 *under paragraph (7) is made available to State and*
20 *local transportation departments and other interested*
21 *parties as specified by the Secretary.”.*

22 *(b) INNOVATIVE PAVEMENT RESEARCH AND DEPLOY-*
23 *MENT PROGRAM.—*

24 *(1) IN GENERAL.—Section 503 of such title is*
25 *further amended by adding at the end the following:*

1 “(c) *INNOVATIVE PAVEMENT RESEARCH AND DEPLOY-*
2 *MENT PROGRAM.*—

3 “(1) *IN GENERAL.*—*The Secretary shall establish*
4 *and implement a program to promote, demonstrate,*
5 *support, and document the application of innovative*
6 *pavement technologies, practices, performance, and*
7 *benefits.*

8 “(2) *GOALS.*—*The goals of the innovative pave-*
9 *ment research and deployment program shall in-*
10 *clude—*

11 “(A) *the deployment of new, cost-effective,*
12 *innovative designs, materials, recycled materials*
13 *(including taconite tailings and foundry sand),*
14 *and practices to extend pavement life and per-*
15 *formance and to improve customer satisfaction;*

16 “(B) *the reduction of initial costs and life-*
17 *cycle costs of pavements, including the costs of*
18 *new construction, replacement, maintenance, and*
19 *rehabilitation;*

20 “(C) *the deployment of accelerated construc-*
21 *tion techniques to increase safety and reduce con-*
22 *struction time and traffic disruption and conges-*
23 *tion;*

24 “(D) *the deployment of engineering design*
25 *criteria and specifications for innovative prac-*

1 *tices, products, and materials for use in highway*
2 *pavements;*

3 “(E) *the deployment of new nondestructive*
4 *and real-time pavement evaluation technologies*
5 *and techniques;*

6 “(F) *the evaluation, refinement, and docu-*
7 *mentation of the performance and benefits of in-*
8 *novative technologies deployed to improve life,*
9 *performance, cost effectiveness, safety, and cus-*
10 *tomers satisfaction;*

11 “(G) *effective technology transfer and infor-*
12 *mation dissemination to accelerate implementa-*
13 *tion of innovative technologies and to improve*
14 *life, performance, cost effectiveness, safety, and*
15 *customer satisfaction; and*

16 “(H) *the development of designs and mate-*
17 *rials to reduce storm water runoff.*

18 “(3) *RESEARCH TO IMPROVE NHS PAVEMENT.—*
19 *The Secretary shall obligate not less than \$2,000,000*
20 *for fiscal year 2004 and \$6,000,000 for each of fiscal*
21 *years 2005 through 2009 from funds made available*
22 *to carry out this subsection to conduct research to im-*
23 *prove asphalt pavement, concrete pavement, and ag-*
24 *gregates used in highways on the National Highway*
25 *System.”.*

1 (2) *FUNDING.*—*Of the amounts made available*
2 *by section 5101(a)(1) of this Act, \$5,000,000 for fiscal*
3 *year 2004 and \$15,000,000 for each of fiscal years*
4 *2005 through 2009 shall be available to carry out sec-*
5 *tion 503(c) of title 23, United States Code.*

6 (c) *SAFETY INNOVATION DEPLOYMENT PROGRAM.*—

7 (1) *IN GENERAL.*—*Section 503 of such title is*
8 *further amended by adding the following:*

9 “(d) *SAFETY INNOVATION DEPLOYMENT PROGRAM.*—

10 “(1) *IN GENERAL.*—*The Secretary shall establish*
11 *and implement a program to demonstrate the appli-*
12 *cation of innovative technologies in highway safety.*

13 “(2) *GOALS.*—*The goals of the program shall in-*
14 *clude—*

15 “(A) *the deployment and evaluation of safe-*
16 *ty technologies and innovations at State and*
17 *local levels; and*

18 “(B) *the deployment of best practices in*
19 *training, management, design, and planning.*

20 “(3) *GRANTS, COOPERATIVE AGREEMENTS, AND*
21 *CONTRACTS.*—

22 “(A) *IN GENERAL.*—*Under the program, the*
23 *Secretary shall make grants to, and enter into*
24 *cooperative agreements and contracts with,*
25 *States, other Federal agencies, universities and*

1 colleges, private sector entities, and nonprofit or-
2 ganizations for research, development, and tech-
3 nology transfer for innovative safety technologies.

4 “(B) *APPLICATIONS.*—To receive a grant
5 under this subsection, an entity described in sub-
6 paragraph (A) shall submit an application to
7 the Secretary. The application shall be in such
8 form and contain such information as the Sec-
9 retary may require. The Secretary shall select
10 and approve the applications based on whether
11 the project that is the subject of the application
12 meets the goals of the program described in para-
13 graph (2).

14 “(4) *TECHNOLOGY AND INFORMATION TRANS-*
15 *FER.*—The Secretary shall take such action as is nec-
16 essary to ensure that the information and technology
17 resulting from research conducted under paragraph
18 (3) is made available to State and local transpor-
19 tation departments and other interested parties as
20 specified by the Secretary.”

21 (2) *FUNDING.*—Of the amounts made available
22 by section 5101(a)(1) of this Act, \$5,000,000 for fiscal
23 year 2004 and \$15,000,000 for each of fiscal years
24 2005 through 2009 shall be available to carry out sec-
25 tion 503(d) of title 23, United States Code.

1 (d) *AUTHORITY TO PURCHASE PROMOTIONAL*
2 *ITEMS.*—Section 503 of such title is further amended by
3 *adding at the end the following:*

4 “(e) *PROMOTIONAL AUTHORITY.*—Funds authorized to
5 *be appropriated for necessary expenses for administration*
6 *and operation of the Federal Highway Administration shall*
7 *be available to purchase promotional items of nominal*
8 *value for use in the recruitment of individuals and to pro-*
9 *mote the programs of the Federal Highway Administra-*
10 *tion.”.*

11 (e) *WOOD COMPOSITE MATERIALS DEMONSTRATION*
12 *PROJECT.*—

13 (1) *FUNDING.*—Of the funds made available to
14 *carry out section 5101(a)(1), \$1,000,000 shall be*
15 *made available by the Secretary for each of fiscal*
16 *years 2005 and 2006 for conducting a demonstration*
17 *of the durability and potential effectiveness of wood*
18 *composite materials in multimodal transportation fa-*
19 *cilities.*

20 (2) *FEDERAL SHARE.*—The Federal share of the
21 *cost of the demonstration under paragraph (1) shall*
22 *be 100 percent.*

23 **SEC. 5205. TRAINING AND EDUCATION.**

24 (a) *NATIONAL HIGHWAY INSTITUTE.*—

1 (1) *IN GENERAL.*—Section 504(a)(3) of title 23,
2 *United States Code, is amended to read as follows:*

3 “(3) *COURSES.*—*The Institute may develop and*
4 *administer courses in modern developments, tech-*
5 *niques, methods, regulations, management, and proce-*
6 *dures in areas, including surface transportation, en-*
7 *vironmental mitigation, compliance, stewardship, and*
8 *streamlining, acquisition of rights-of-way, relocation*
9 *assistance, engineering, safety, transportation system*
10 *management and operations, construction, mainte-*
11 *nance, contract administration, inspection, and high-*
12 *way finance.”.*

13 (2) *FUNDING.*—*Of the amounts made available*
14 *by section 5101(a)(2) of this Act, \$8,000,000 for fiscal*
15 *year 2004 and \$8,500,000 for each of fiscal years*
16 *2005 through 2009 shall be available to carry out sec-*
17 *tion 504(a) of title 23, United States Code.*

18 (b) *LOCAL TECHNICAL ASSISTANCE PROGRAM.*—

19 (1) *IN GENERAL.*—*Section 504(b) of such title is*
20 *amended by adding at the end the following:*

21 “(3) *FEDERAL SHARE.*—

22 “(A) *GRANTS.*—*A grant under this sub-*
23 *section may be used to pay up to 50 percent of*
24 *local technical assistance program costs. Funds*
25 *available for technology transfer and training*

1 *purposes under this title and title 49 may be*
2 *used to cover the remaining 50 percent of the*
3 *program costs.*

4 “(B) *TRIBAL TECHNICAL ASSISTANCE CEN-*
5 *TERS.—The Federal share of the cost of activities*
6 *carried out by the tribal technical assistance cen-*
7 *ters under paragraph (2)(D)(ii) shall be 100 per-*
8 *cent.*”.

9 (2) *FUNDING.—Of the amounts made available*
10 *by section 5101(a)(2) of this Act, \$12,000,000 for fis-*
11 *cal year 2004 and \$14,000,000 for each of fiscal years*
12 *2005 through 2009 shall be available to carry out sec-*
13 *tion 504(b) of title 23, United States Code.*

14 (c) *EISENHOWER TRANSPORTATION FELLOWSHIP*
15 *PROGRAM.—Of the amounts made available by section*
16 *5101(a)(2) of this Act, \$2,000,000 for fiscal year 2004 and*
17 *\$2,500,000 for each of fiscal years 2005 through 2009 shall*
18 *be available to carry out section 504(c)(2) of title 23, United*
19 *States Code.*

20 (d) *GARRETT A. MORGAN TECHNOLOGY AND TRANS-*
21 *PORTATION EDUCATION PROGRAM.—*

22 (1) *IN GENERAL.—Section 504 of title 23,*
23 *United States Code, is further amended by adding at*
24 *the end the following new subsection:*

1 “(d) *GARRETT A. MORGAN TECHNOLOGY AND TRANS-*
2 *PORTATION EDUCATION PROGRAM.*—

3 “(1) *IN GENERAL.*—*The Secretary shall establish*
4 *the Garrett A. Morgan Technology and Transpor-*
5 *tation Education Program to improve the prepara-*
6 *tion of students, particularly women and minorities,*
7 *in science, technology, engineering, and mathematics*
8 *through curriculum development and other activities*
9 *related to transportation.*

10 “(2) *AUTHORIZED ACTIVITIES.*—*The Secretary*
11 *shall award grants under this subsection on the basis*
12 *of competitive, peer review. Grants awarded under*
13 *this subsection may be used for enhancing science,*
14 *technology, engineering, and mathematics at the ele-*
15 *mentary and secondary school level through such*
16 *means as—*

17 “(A) *internships that offer students experi-*
18 *ence in the transportation field;*

19 “(B) *programs that allow students to spend*
20 *time observing scientists and engineers in the*
21 *transportation field; and*

22 “(C) *developing relevant curriculum that*
23 *uses examples and problems related to transpor-*
24 *tation.*

25 “(3) *APPLICATION AND REVIEW PROCEDURES.*—

1 “(A) *IN GENERAL.*—An entity described in
2 subparagraph (C) seeking funding under this
3 subsection shall submit an application to the
4 Secretary at such time, in such manner, and
5 containing such information as the Secretary
6 may require. Such application, at a minimum,
7 shall include a description of how the funds will
8 be used and a description of how the funds will
9 be used to serve the purposes described in para-
10 graph (2).

11 “(B) *PRIORITY.*—In making awards under
12 this subsection, the Secretary shall give priority
13 to applicants that will encourage the participa-
14 tion of women and minorities.

15 “(C) *ELIGIBILITY.*—Local education agen-
16 cies and State education agencies, which may
17 partner with institutions of higher education,
18 businesses, or other entities, shall be eligible to
19 apply for grants under this subsection.

20 “(4) *DEFINITIONS.*—For purposes of this sub-
21 section—

22 “(A) the term ‘institution of higher edu-
23 cation’ has the meaning given that term in sec-
24 tion 101 of the Higher Education Act of 1965
25 (20 U.S.C. 1001);

1 “(B) the term ‘local educational agency’ has
2 the meaning given that term in section 9101 of
3 the *Elementary and Secondary Education Act of*
4 1965 (20 U.S.C. 7801); and

5 “(C) the term ‘State educational agency’
6 has the meaning given that term in section 9101
7 of the *Elementary and Secondary Education Act*
8 of 1965 (20 U.S.C. 7801).”.

9 (2) *FUNDING.*—Of the amounts made available
10 by section 5101(a)(2) of this Act, \$500,000 for 2004
11 and \$1,000,000 for each of fiscal years 2005 through
12 2009 shall be available to carry out section 504(d) of
13 title 23, *United States Code*.

14 (e) *SURFACE TRANSPORTATION WORKFORCE DEVEL-*
15 *OPMENT, TRAINING, AND EDUCATION.*—Section 504 of such
16 title is further amended by adding at the end the following:

17 “(e) *SURFACE TRANSPORTATION WORKFORCE DEVEL-*
18 *OPMENT, TRAINING, AND EDUCATION.*—

19 “(1) *FUNDING.*—Subject to project approval by
20 the Secretary, a State may obligate funds apportioned
21 to the State under sections 104(b)(1), 104(b)(2),
22 104(b)(3), 104(b)(4), and 144(e) for surface transpor-
23 tation workforce development, training and education,
24 including—

1 “(A) tuition and direct educational ex-
2 penses, excluding salaries, in connection with the
3 education and training of employees of State
4 and local transportation agencies;

5 “(B) employee professional development;

6 “(C) student internships;

7 “(D) university or community college sup-
8 port; and

9 “(E) education activities, including out-
10 reach, to develop interest and promote participa-
11 tion in surface transportation careers.

12 “(2) *FEDERAL SHARE*.—The Federal share of the
13 cost of activities carried out in accordance with this
14 subsection shall be 100 percent.

15 “(3) *SURFACE TRANSPORTATION WORKFORCE*
16 *DEVELOPMENT, TRAINING, AND EDUCATION DE-*
17 *FINED*.—In this subsection, the term ‘surface trans-
18 portation workforce development, training, and edu-
19 cation’ means activities associated with surface trans-
20 portation career awareness, student transportation
21 career preparation, and training and professional de-
22 velopment for surface transportation workers, includ-
23 ing activities for women and minorities.”.

1 (f) *TRANSPORTATION EDUCATION DEVELOPMENT*
2 *PILOT PROGRAM.*—Section 504 of such title is further
3 amended by inserting after subsection (e) the following:

4 “(f) *TRANSPORTATION EDUCATION DEVELOPMENT*
5 *PILOT PROGRAM.*—

6 “(1) *ESTABLISHMENT.*—The Secretary shall es-
7 tablish a program to make grants to institutions of
8 higher education that in partnership with industry or
9 State Departments of Transportation will develop,
10 test, and revise new curricula and education pro-
11 grams to train individuals at all levels of the trans-
12 portation workforce.

13 “(2) *SELECTION OF GRANT RECIPIENTS.*—In se-
14 lecting applications for awards under this subsection,
15 the Secretary shall consider—

16 “(A) the degree to which the new curricula
17 or education program meets the specific needs of
18 a segment of the transportation industry, States,
19 or regions;

20 “(B) providing for practical experience and
21 on-the-job training;

22 “(C) proposals oriented toward practi-
23 tioners in the field rather than the support and
24 growth of the research community;

1 “(D) the degree to which the new curricula
2 or program will provide training in areas other
3 than engineering, such as business administra-
4 tion, economics, information technology, environ-
5 mental science, and law;

6 “(E) programs or curricula in nontradi-
7 tional departments which train professionals for
8 work in the transportation field, such as mate-
9 rials, information technology, environmental
10 science, urban planning, and industrial tech-
11 nology; and

12 “(F) industry or a State’s Department of
13 Transportation commitment to the program.

14 “(3) FUNDING.—Of the amounts made available
15 by section 5101(a)(2) of this Act, \$1,500,000 for each
16 of fiscal years 2005 through 2009 shall be available
17 to carry out this subsection.

18 “(4) LIMITATIONS.—The amount of a grant
19 under this subsection shall not exceed \$250,000 per
20 year. After a recipient has received 3 years of Federal
21 funding under this subsection, Federal funding may
22 equal no more than 75 percent of a grantee’s program
23 costs.”.

24 (g) DEFINITIONS AND DECLARATION OF POLICY.—Sec-
25 tion 101(a)(3) of such title is amended—

1 (1) *by striking “and” at the end of subpara-*
2 *graph (G);*

3 (2) *by striking the period at the end of subpara-*
4 *graph (H) and inserting “; and”; and*

5 (3) *by adding at the end the following:*

6 *“(I) surface transportation workforce devel-*
7 *opment, training, and education.”.*

8 *(h) TRANSPORTATION TECHNOLOGY INNOVATIONS.—*

9 (1) *FUNDAMENTAL PROPERTIES OF ASPHALTS*
10 *AND MODIFIED ASPHALTS.—The Secretary shall con-*
11 *tinue to carry out section 5117(b)(5) of the Transpor-*
12 *tation Equity Act for the 21st Century (112 Stat.*
13 *450).*

14 (2) *TRANSPORTATION, ECONOMIC, AND LAND USE*
15 *SYSTEM.—The Secretary shall continue to carry out*
16 *section 5117(b)(7) of the Transportation Equity Act*
17 *for the 21st Century (112 Stat. 450).*

18 (3) *FUNDING.—Of the amounts made available*
19 *for each of fiscal years 2004 through 2009 by section*
20 *5101(a)(1) of this Act, \$3,000,000 shall be available*
21 *to carry out paragraph (1) and \$1,000,000 shall be*
22 *available to carry out paragraph (2).*

23 (4) *USE OF RIGHTS-OF-WAY.—Section 5117(b)(3)*
24 *of the Transportation Equity Act for the 21st Century*

1 (112 Stat. 449; 112 Stat. 864; 115 Stat. 2330) is
2 amended—

3 (A) by redesignating subparagraphs (E)
4 through (G) as subparagraphs (F) through (H),
5 respectively; and

6 (B) by inserting after subparagraph (D) the
7 following:

8 “(E) USE OF RIGHTS-OF-WAY.—

9 “(i) IN GENERAL.—An intelligent
10 transportation system project described in
11 paragraph (3), and an intelligent transpor-
12 tation system project described in para-
13 graph (6), that involves privately owned in-
14 telligent transportation system components
15 and is carried out using funds made avail-
16 able from the Highway Trust Fund (other
17 than the Mass Transit Account) shall not be
18 subject to any law or regulation of a State
19 or political subdivision of a State prohib-
20 iting or regulating commercial activities in
21 the rights-of-way of a highway for which
22 funds from the Highway Trust Fund (other
23 than the Mass Transit Account) have been
24 used for planning, design, construction, or

1 *maintenance if the Secretary determines*
2 *that such use is in the public interest.*

3 “(ii) *LIMITATION ON STATUTORY CON-*
4 *STRUCTION.—Nothing in this subparagraph*
5 *shall be construed to affect the authority of*
6 *a State, or political subdivision of a State,*
7 *to regulate highway safety.”.*

8 **SEC. 5206. FREIGHT PLANNING CAPACITY BUILDING.**

9 (a) *IN GENERAL.—Section 504 of title 23, United*
10 *States Code, is further amended by adding at the end the*
11 *following:*

12 “(g) *FREIGHT CAPACITY BUILDING PROGRAM.—*

13 “(1) *ESTABLISHMENT.—The Secretary shall es-*
14 *tablish a freight planning capacity building initiative*
15 *to support enhancements in freight transportation*
16 *planning in order to—*

17 “(A) *better target investments in freight*
18 *transportation systems to maintain efficiency*
19 *and productivity; and*

20 “(B) *strengthen the decisionmaking capac-*
21 *ity of State transportation departments and*
22 *local transportation agencies with respect to*
23 *freight transportation planning and systems.*

24 “(2) *AGREEMENTS.—The Secretary shall enter*
25 *into agreements to support and carry out administra-*

1 *tive and management activities relating to the gov-*
2 *ernance of the freight planning capacity initiative.*

3 “(3) *STAKEHOLDER INVOLVEMENT.*—*In carrying*
4 *out this section, the Secretary shall consult with the*
5 *Association of Metropolitan Planning Organizations,*
6 *the American Association of State Highway and*
7 *Transportation Officials, and other freight planning*
8 *stakeholders, including the other Federal agencies,*
9 *State transportation departments, local governments,*
10 *nonprofit entities, academia, and the private sector.*

11 “(4) *ELIGIBLE ACTIVITIES.*—*The freight plan-*
12 *ning capacity building initiative shall include re-*
13 *search, training, and education in the following*
14 *areas:*

15 “(A) *The identification and dissemination*
16 *of best practices in freight transportation.*

17 “(B) *Providing opportunities for freight*
18 *transportation staff to engage in peer exchange.*

19 “(C) *Refinement of data and analysis tools*
20 *used in conjunction with assessing freight trans-*
21 *portation needs.*

22 “(D) *Technical assistance to State transpor-*
23 *tation departments and local transportation*
24 *agencies reorganizing to address freight trans-*
25 *portation issues.*

1 “(E) *Facilitating relationship building be-*
2 *tween governmental and private entities involved*
3 *in freight transportation.*

4 “(F) *Identifying ways to target the capacity*
5 *of State transportation departments and local*
6 *transportation agencies to address freight consid-*
7 *erations in operations, security, asset manage-*
8 *ment, and environmental excellence in connec-*
9 *tion with long-range multimodal transportation*
10 *planning and project implementation.*

11 “(5) *FUNDING.—*

12 “(A) *FEDERAL SHARE.—The Federal share*
13 *of the cost of an activity carried out under this*
14 *section shall be up to 100 percent, and such*
15 *funds shall remain available until expended.*

16 “(B) *USE OF NON-FEDERAL FUNDS.—Funds*
17 *made available for the program established under*
18 *this subsection may be used for research, pro-*
19 *gram development, information collection and*
20 *dissemination, and technical assistance. The Sec-*
21 *retary may use such funds independently or*
22 *make grants to, or enter into contracts, coopera-*
23 *tive agreements, and other transactions with, a*
24 *Federal agency, State agency, local agency, Fed-*
25 *erally recognized Indian tribal government or*

1 *tribal consortium, authority, association, non-*
2 *profit or for-profit corporation, or institution of*
3 *higher education, to carry out the purposes of*
4 *this subsection.”.*

5 **(b) FUNDING.**—*Of the amounts made available by sec-*
6 *tion 5101(a)(2) of this Act, \$1,500,000 for fiscal year 2004*
7 *and \$5,000,000 for each of fiscal years 2005 through 2009*
8 *shall be available to carry out section 504(f) of title 23,*
9 *United States Code.*

10 **SEC. 5207. ADVANCED TRAVEL FORECASTING PROCEDURES**
11 **PROGRAM.**

12 **(a) CONTINUATION AND ACCELERATION OF**
13 **TRANSIMS DEPLOYMENT.**—*The Secretary shall accelerate*
14 *the deployment of the advanced transportation model*
15 *known as the “Transportation Analysis Simulation Sys-*
16 *tem” (in this section referred to as “TRANSIMS”), devel-*
17 *oped by the Los Alamos National Laboratory. The program*
18 *shall assist State departments of transportation and metro-*
19 *politan planning organizations in the implementation of*
20 *TRANSIMS, develop methods for TRANSIMS applications*
21 *to transportation planning and air quality analysis, and*
22 *provide training and technical assistance for the implemen-*
23 *tation of TRANSIMS. The program may support the devel-*
24 *opment of methods to plan for the transportation response*

1 *to chemical and biological terrorism and other security con-*
2 *cerns.*

3 (b) *ELIGIBLE ACTIVITIES.*—*The Secretary shall use*
4 *funds made available by section 5101(a)(1) to—*

5 (1) *provide funding to State departments of*
6 *transportation and metropolitan planning organiza-*
7 *tions serving transportation management areas des-*
8 *ignated under chapter 52 of title 49, United States*
9 *Code, representing a diversity of populations, geo-*
10 *graphic regions, and analytic needs to implement*
11 *TRANSIMS;*

12 (2) *develop methods to demonstrate a wide spec-*
13 *trum of TRANSIMS applications to support metro-*
14 *politan and statewide transportation planning, in-*
15 *cluding integrating highway and transit operational*
16 *considerations into the transportation Planning proc-*
17 *ess; and*

18 (3) *provide training and technical assistance*
19 *with respect to the implementation and application of*
20 *TRANSIMS to States, local governments, and metro-*
21 *politan planning organizations with responsibility for*
22 *travel modeling.*

23 (c) *ALLOCATION OF FUNDS.*—*Not more than 75 per-*
24 *cent of the funds made available to carry out this section*
25 *may be allocated to activities described in subsection (b)(1).*

1 (d) *FUNDING.*—Of the amounts made available by sec-
2 tion 5101(a)(1) of this Act, \$1,000,000 for fiscal year 2004
3 and \$3,000,000 for each of fiscal years 2005 through 2009
4 shall be available to carry out this section.

5 **SEC. 5208. NATIONAL COOPERATIVE FREIGHT TRANSPOR-**
6 **TATION RESEARCH PROGRAM.**

7 (a) *IN GENERAL.*—Chapter 5 of title 23, United States
8 Code, is further amended by adding at the end the following:

9 **“§ 509. National cooperative freight Transportation**
10 **research program**

11 “(a) *ESTABLISHMENT.*—The Secretary shall establish
12 and support a national cooperative freight transportation
13 research program.

14 “(b) *AGREEMENT.*—The Secretary shall enter into an
15 agreement with the National Academy of Sciences to sup-
16 port and carry out administrative and management activi-
17 ties relating to the governance of the national cooperative
18 freight transportation research program.

19 “(c) *ADVISORY COMMITTEE.*—The National Academy
20 of Sciences shall select an advisory committee consisting of
21 a representative cross-section of freight stakeholders, includ-
22 ing the Department of Transportation, other Federal agen-
23 cies, State transportation departments, local governments,
24 nonprofit entities, academia, and the private sector.

1 “(d) *GOVERNANCE.*—*The national cooperative freight*
2 *transportation research program established under this sec-*
3 *tion shall include the following administrative and manage-*
4 *ment elements:*

5 “(1) *NATIONAL RESEARCH AGENDA.*—*The advi-*
6 *sory committee, in consultation with interested par-*
7 *ties, shall recommend a national research agenda for*
8 *the program. The agenda shall include a multiyear*
9 *strategic plan.*

10 “(2) *INVOLVEMENT.*—*Interested parties may—*

11 “(A) *submit research proposals to the advi-*
12 *sory committee;*

13 “(B) *participate in merit reviews of re-*
14 *search proposals and peer reviews of research*
15 *products; and*

16 “(C) *receive research results.*

17 “(3) *OPEN COMPETITION AND PEER REVIEW OF*
18 *RESEARCH PROPOSALS.*—*The National Academy of*
19 *Sciences may award research contracts and grants*
20 *under the program through open competition and*
21 *merit review conducted on a regular basis.*

22 “(4) *EVALUATION OF RESEARCH.*—

23 “(A) *PEER REVIEW.*—*Research contracts*
24 *and grants under the program may allow peer*
25 *review of the research results.*

1 “(B) *PROGRAMMATIC EVALUATIONS.*—*The*
2 *National Academy of Sciences may conduct peri-*
3 *odic programmatic evaluations on a regular*
4 *basis of research contracts and grants.*

5 “(5) *DISSEMINATION OF RESEARCH FINDINGS.*—
6 *The National Academy of Sciences shall disseminate*
7 *research findings to researchers, practitioners, and de-*
8 *cisionmakers, through conferences and seminars, field*
9 *demonstrations, workshops, training programs, pres-*
10 *entations, testimony to government officials, World*
11 *Wide Web, publications for the general public, and*
12 *other appropriate means.*

13 “(e) *CONTENTS.*—*The national research agenda re-*
14 *quired under subsection (d)(1) shall include research in the*
15 *following areas:*

16 “(1) *Techniques for estimating and quantifying*
17 *public benefits derived from freight transportation*
18 *projects.*

19 “(2) *Alternative approaches to calculating the*
20 *contribution of truck and rail traffic to congestion on*
21 *specific highway segments.*

22 “(3) *The feasibility of consolidating origins and*
23 *destinations for freight movement.*

1 “(4) *Methods for incorporating estimates of*
2 *international trade into landside transportation*
3 *planning.*

4 “(5) *The use of technology applications to in-*
5 *crease capacity of highway lanes dedicated to truck-*
6 *only traffic.*

7 “(6) *Development of physical and policy alter-*
8 *natives for separating car and truck traffic.*

9 “(7) *Ways to synchronize infrastructure im-*
10 *provements with freight transportation demand.*

11 “(8) *The effect of changing patterns of freight*
12 *movement on transportation planning decisions relat-*
13 *ing to rest areas.*

14 “(9) *Other research areas to identify and address*
15 *the emerging and future research needs related to*
16 *freight transportation by all modes.*

17 “(f) *FUNDING.—*

18 “(1) *FEDERAL SHARE.—The Federal share of the*
19 *cost of an activity carried out under this section shall*
20 *be up to 100 percent, and such funds shall remain*
21 *available until expended.*

22 “(2) *USE OF NON-FEDERAL FUNDS.—In addition*
23 *to using funds authorized for this section, the Na-*
24 *tional Academy of Sciences may seek and accept ad-*
25 *ditional funding sources from public and private en-*

1 *tities capable of accepting funding from the Depart-*
 2 *ment of Transportation, States, local governments,*
 3 *nonprofit foundations, and the private sector.”.*

4 *(b) CONFORMING AMENDMENT.—The analysis for such*
 5 *chapter is further amended by adding at the end the fol-*
 6 *lowing:*

“509. National cooperative freight transportation research program.”.

7 *(c) FUNDING.—Of the amounts made available by sec-*
 8 *tion 5101(a)(1) of this Act, \$1,500,000 for fiscal year 2004*
 9 *and \$4,000,000 for each of fiscal years 2005 through 2009*
 10 *shall be available to carry out section 509 of title 23, United*
 11 *States Code.*

12 **SEC. 5209. FUTURE STRATEGIC HIGHWAY RESEARCH PRO-**
 13 **GRAM.**

14 *(a) IN GENERAL.—Chapter 5 of title 23, United States*
 15 *Code, is further amended by adding at the end the following:*
 16 **“§ 510. Future strategic highway research program**

17 *“(a) ESTABLISHMENT.—The Secretary, in consulta-*
 18 *tion with the American Association of State Highway and*
 19 *Transportation Officials, shall establish and carry out, act-*
 20 *ing through the National Research Council of the National*
 21 *Academy of Sciences, the future strategic highway research*
 22 *program.*

23 *“(b) COOPERATIVE AGREEMENTS.—The Secretary*
 24 *may make grants to, and enter into cooperative agreements*
 25 *with, the American Association of State Highway and*

1 *Transportation Officials and the National Academy of*
2 *Sciences to carry out such activities under this subsection*
3 *as the Secretary determines are appropriate.*

4 “(c) *PERIOD OF AVAILABILITY.*—*Funds made avail-*
5 *able to carry out this section shall remain available for the*
6 *fiscal year in which such funds are made available and the*
7 *3 succeeding fiscal years.*

8 “(d) *PROGRAM PRIORITIES.*—

9 “(1) *PROGRAM ELEMENTS.*—*The program estab-*
10 *lished under this section shall be based on the Na-*
11 *tional Research Council Special Report 260, entitled*
12 *‘Strategic Highway Research: Saving Lives, Reducing*
13 *Congestion, Improving Quality of Life’ and the re-*
14 *sults of the detailed planning work subsequently car-*
15 *ried out in 2002 and 2003 to identify the research*
16 *areas through National Cooperative Research Pro-*
17 *gram Project 20–58. The research program shall in-*
18 *clude an analysis of the following:*

19 “(A) *Renewal of aging highway infrastruc-*
20 *ture with minimal impact to users of the facili-*
21 *ties.*

22 “(B) *Driving behavior and likely crash*
23 *causal factors to support improved counter-*
24 *measures.*

1 “(C) *Reducing highway congestion due to*
2 *nonrecurring congestion.*

3 “(D) *Planning and designing new road ca-*
4 *capacity to meet mobility, economic, environ-*
5 *mental, and community needs.*

6 “(2) *DISSEMINATION OF RESULTS.—The research*
7 *results of the program, expressed in terms of tech-*
8 *nologies, methodologies, and other appropriate cat-*
9 *egorizations, shall be disseminated to practicing engi-*
10 *neers for their use, as soon as practicable.*

11 “(e) *PROGRAM ADMINISTRATION.—In carrying out the*
12 *program under this section, the National Research Council*
13 *shall ensure, to the maximum extent practicable, that—*

14 “(1) *projects and researchers are selected to con-*
15 *duct research for the program on the basis of merit*
16 *and open solicitation of proposals and review by pan-*
17 *els of appropriate experts;*

18 “(2) *State department of transportation officials*
19 *and other stakeholders, as appropriate, are involved*
20 *in the governance of the program at the overall pro-*
21 *gram level and technical level through the use of ex-*
22 *pert panels and committees;*

23 “(3) *the Council acquires a qualified, permanent*
24 *core staff with the ability and expertise to manage the*
25 *program and multiyear budget; and*

1 “(4) there is no duplication of research effort be-
2 tween the program and any other research effort of
3 the Department.

4 “(f) *REPORT ON IMPLEMENTATION OF RESULTS.*—

5 “(1) *REPORT.*—*The Transportation Research*
6 *Board of the National Research Council shall com-*
7 *plete a report on the strategies and administrative*
8 *structure to be used for implementation of the results*
9 *of the future strategic highway research program.*

10 “(2) *COMPONENTS.*—*The report under para-*
11 *graph (1) shall include with respect to the program—*

12 “(A) *an identification of the most prom-*
13 *ising results of research under the program (in-*
14 *cluding the persons most likely to use the re-*
15 *sults);*

16 “(B) *a discussion of potential incentives for,*
17 *impediments to, and methods of, implementing*
18 *those results;*

19 “(C) *an estimate of costs of implementation*
20 *of those results; and*

21 “(D) *recommendations on methods by which*
22 *implementation of those results should be con-*
23 *ducted, coordinated, and supported in future*
24 *years, including a discussion of the administra-*

1 *tive structure and organization best suited to*
2 *carry out those recommendations.*

3 “(3) *CONSULTATION.*—*In developing the report,*
4 *the Transportation Research Board shall consult with*
5 *a wide variety of stakeholders, including—*

6 “(A) *the Federal Highway Administration;*

7 “(B) *the National Highway Traffic Safety*
8 *Administration; and*

9 “(C) *the American Association of State*
10 *Highway and Transportation Officials.*

11 “(4) *SUBMISSION.*—*Not later than February 1,*
12 *2009, the report shall be submitted to the Committee*
13 *on Environment and Public Works of the Senate and*
14 *the Committee on Transportation and Infrastructure*
15 *of the House of Representatives.*

16 “(h) *FUNDING.*—

17 “(1) *FEDERAL SHARE.*—*The Federal share of the*
18 *cost of an activity carried out using amounts made*
19 *available under a grant or cooperative agreement*
20 *under this section shall be 100 percent, and such*
21 *funds shall remain available until expended.*

22 “(2) *ADVANCE PAYMENTS.*—*The Secretary may*
23 *make advance payments as necessary to carry out the*
24 *program under this section.”.*

1 (b) *PROGRAMMATIC EVALUATIONS.*—*Within 3 years*
2 *after the first research and development project grants, co-*
3 *operative agreements, or contracts are awarded under sec-*
4 *tion 510 of title 23, United States Code, the Comptroller*
5 *General shall review the program under such section, and*
6 *recommend improvements. The review shall assess the de-*
7 *gree to which projects funded under such section have ad-*
8 *dressed the research and development topics identified in*
9 *the Transportation Research Board Special Report 260, in-*
10 *cluding identifying those topics which have not yet been ad-*
11 *dressed.*

12 (c) *CONFORMING AMENDMENT.*—*The analysis for*
13 *chapter 5 of such title is further amended by adding at the*
14 *end the following:*

“510. *Future strategic highway research program.*”.

15 (d) *FUNDING.*—*Of the amounts made available by sec-*
16 *tion 5101(a)(1) of this Act, \$17,000,000 for fiscal year*
17 *2004, \$60,000,000 for fiscal year 2005, and \$63,000,000 for*
18 *each of fiscal years 2006 through 2009, shall be available*
19 *to carry out section 510 of title 23, United States Code.*

20 **SEC. 5210. TRANSPORTATION SAFETY INFORMATION MAN-**
21 **AGEMENT SYSTEM PROJECT.**

22 (a) *IN GENERAL.*—*The Secretary shall fund and carry*
23 *out a project to further the development of a comprehensive*
24 *transportation safety information management system (in*
25 *this section referred to as “TSIMS”).*

1 (b) *PURPOSES.*—*The purpose of the TSIMS project is*
2 *to further the development of a software application to pro-*
3 *vide for the collection, integration, management, and dis-*
4 *semination of safety data from and for use among State*
5 *and local safety and transportation agencies, including*
6 *driver licensing, vehicle registration, emergency manage-*
7 *ment system, injury surveillance, roadway inventory, and*
8 *motor carrier databases.*

9 (c) *FUNDING.*—

10 (1) *FEDERAL CONTRIBUTION.*—*Of the amounts*
11 *made available by section 5101(a)(1) of this Act,*
12 *\$1,000,000 for fiscal year 2004 and \$3,000,000 for*
13 *fiscal year 2005 shall be available to carry out the*
14 *TSIMS project under this section.*

15 (2) *STATE CONTRIBUTION.*—*The sums authorized*
16 *in paragraph (1) are intended to supplement vol-*
17 *untary contributions to be made by State depart-*
18 *ments of transportation and other State safety and*
19 *transportation agencies.*

20 **SEC. 5211. SURFACE TRANSPORTATION CONGESTION RE-**
21 **LIEF SOLUTIONS RESEARCH INITIATIVE.**

22 (a) *ESTABLISHMENT.*—*The Secretary, acting through*
23 *the Federal Highway Administration, shall establish a sur-*
24 *face transportation congestion solutions research initiative*
25 *consisting of 2 independent research programs described in*

1 subsections (b)(1) and (b)(2) and designed to develop infor-
2 mation to assist State transportation departments and met-
3 ropolitan planning organizations measure and address sur-
4 face transportation congestion problems.

5 (b) *SURFACE TRANSPORTATION CONGESTION SOLU-*
6 *TIONS RESEARCH PROGRAM.*—

7 (1) *IMPROVED SURFACE TRANSPORTATION CON-*
8 *GESTION MANAGEMENT SYSTEM MEASURES.*—*The*
9 *purposes of the first research program established*
10 *under this section shall be—*

11 (A) *to examine the effectiveness of surface*
12 *transportation congestion management systems*
13 *since enactment of the Intermodal Surface*
14 *Transportation Assistance Act of 1991 (Public*
15 *Law 102–240);*

16 (B) *to identify best case examples of locally*
17 *designed reporting methods and incorporate such*
18 *methods in research on national models for de-*
19 *veloping and recommending improved surface*
20 *transportation congestion measurement and re-*
21 *porting; and*

22 (C) *to incorporate such methods in the de-*
23 *velopment of national models and methods to*
24 *monitor, measure, and report surface transpor-*
25 *tation congestion information.*

1 (2) *ANALYTICAL TECHNIQUES FOR ACTION ON*
2 *SURFACE TRANSPORTATION CONGESTION.*—*The pur-*
3 *poses of the second research program established*
4 *under this section shall be—*

5 (A) *to analyze the effectiveness of procedures*
6 *used by State transportation departments and*
7 *metropolitan planning organizations to assess*
8 *surface transportation congestion problems and*
9 *communicate those problems to decisionmakers;*
10 *and*

11 (B) *to identify methods to ensure that the*
12 *results of surface transportation congestion anal-*
13 *yses will lead to the targeting of funding for pro-*
14 *grams, projects, or services with demonstrated ef-*
15 *fectiveness in reducing travel delay, congestion,*
16 *and system unreliability.*

17 (c) *TECHNICAL ASSISTANCE AND TRAINING.*—*In fiscal*
18 *year 2006, the Secretary, acting through the Federal High-*
19 *way Administration, shall develop a technical assistance*
20 *and training program to disseminate the results of the sur-*
21 *face transportation congestion solutions research initiative*
22 *for the purpose of assisting State transportation depart-*
23 *ments and local transportation agencies with improving*
24 *their approaches to surface transportation congestion meas-*
25 *urement, analysis, and project programming.*

1 (d) *FUNDING.*—Of the amounts made available by sec-
2 tions 5101(a)(1) of this Act, \$4,000,000 for fiscal year 2004
3 and \$11,000,000 for each of fiscal years 2005 through 2009
4 shall be available to carry out subsections (a) and (b). Of
5 the amounts made available by section 5101(a)(2),
6 \$500,000 for fiscal year 2004 and \$1,000,000 for each of
7 fiscal years 2005 through 2009 shall be available to carry
8 out subsection (c).

9 **SEC. 5212. MOTOR CARRIER EFFICIENCY STUDY.**

10 (a) *IN GENERAL.*—The Secretary, in coordination
11 with the motor carrier and wireless technology industry,
12 shall conduct a study to—

13 (1) identify inefficiencies in the transportation
14 of freight;

15 (2) evaluate the safety, productivity, and reduced
16 cost improvements that may be achieved through the
17 use of wireless technologies to address the inefficien-
18 cies identified in paragraph (1); and

19 (3) conduct, as appropriate, field tests dem-
20 onstrating the technologies identified in paragraph
21 (2).

22 (b) *PROGRAM ELEMENTS.*—The program shall include,
23 at a minimum, the following:

24 (1) Fuel monitoring and management systems.

25 (2) Radio frequency identification technology.

1 (3) *Electronic manifest systems.*

2 (4) *Cargo theft prevention.*

3 (c) *FEDERAL SHARE.*—*The Federal share of the cost*
4 *of the study under this section shall be 100 percent.*

5 (d) *ANNUAL REPORT.*—*The Secretary shall prepare*
6 *and transmit to Congress an annual report on the programs*
7 *and activities carried out under this section.*

8 (e) *FUNDING.*—*From funds made available under sec-*
9 *tion 5101(a)(1), the Secretary shall make available*
10 *\$1,000,000 to the Federal Motor Carrier Safety Adminis-*
11 *tration for each of fiscal years 2005 through 2009 to carry*
12 *out this section.*

13 **SEC. 5213. TRANSPORTATION RESEARCH AND DEVELOP-**
14 **MENT STRATEGIC PLANNING.**

15 (a) *AMENDMENT.*—*Section 508 of title 23, United*
16 *States Code, is amended to read as follows:*

17 **“§ 508. Transportation research and development**
18 **strategic planning**

19 “(a) *IN GENERAL.*—

20 “(1) *DEVELOPMENT.*—*Not later than 1 year*
21 *after the date of enactment of the Transportation Eq-*
22 *uity Act: A Legacy for Users, the Secretary shall de-*
23 *velop a 5-year transportation research and develop-*
24 *ment strategic plan to guide Federal transportation*
25 *research and development activities. This plan shall*

1 *be consistent with section 306 of title 5, sections 1115*
2 *and 1116 of title 31, and any other research and de-*
3 *velopment plan within the Department of Transpor-*
4 *tation.*

5 “(2) CONTENTS.—*The strategic plan developed*
6 *under paragraph (1) shall—*

7 “(A) *describe the primary purposes of the*
8 *transportation research and development pro-*
9 *gram, which shall include, at a minimum—*

10 “(i) *reducing congestion and improv-*
11 *ing mobility;*

12 “(ii) *promoting safety;*

13 “(iii) *promoting security;*

14 “(iv) *protecting and enhancing the en-*
15 *vironment;*

16 “(v) *preserving the existing transpor-*
17 *tation system; and*

18 “(vi) *improving the durability and ex-*
19 *tending the life of transportation infrastruc-*
20 *ture;*

21 “(B) *for each purpose, list the primary re-*
22 *search and development topics that the Depart-*
23 *ment intends to pursue to accomplish that pur-*
24 *pose, which may include the fundamental re-*
25 *search in the physical and natural sciences, ap-*

1 *plied research, technology development, and so-*
2 *cial science research intended for each topic; and*

3 “(C) *for each research and development*
4 *topic, describe—*

5 “(i) *the anticipated annual funding*
6 *levels for the period covered by the strategic*
7 *plan; and*

8 “(ii) *the additional information the*
9 *Department expects to gain at the end of the*
10 *period covered by the strategic plan as a re-*
11 *sult of the research and development in that*
12 *topic area.*

13 “(3) *CONSIDERATIONS.—In developing the stra-*
14 *tegic plan, the Secretary shall ensure that the plan—*

15 “(A) *reflects input from a wide range of*
16 *stakeholders;*

17 “(B) *includes and integrates the research*
18 *and development programs of all the Depart-*
19 *ment’s operating administrations, including*
20 *aviation, transit, rail, and maritime; and*

21 “(C) *takes into account how research and*
22 *development by other Federal, State, private sec-*
23 *tor, and not-for-profit institutions contributes to*
24 *the achievement of the purposes identified under*

1 *paragraph (2)(A), and avoids unnecessary dupli-*
2 *cation with these efforts.*

3 “(4) *PERFORMANCE PLANS AND REPORTS.*—*In*
4 *reports submitted under sections 1115 and 1116 of*
5 *title 31, the Secretary shall include—*

6 “(A) *a summary of the Federal transpor-*
7 *tation research and development activities for the*
8 *previous fiscal year in each topic area;*

9 “(B) *the amount of funding spent in each*
10 *topic area;*

11 “(C) *a description of the extent to which the*
12 *research and development is meeting the expecta-*
13 *tions set forth in paragraph (2)(C)(ii); and*

14 “(D) *any amendments to the strategic plan.*

15 “(b) *The Secretary shall submit to Congress an annual*
16 *report, along with the President’s annual budget request,*
17 *describing the amount spent in the last completed fiscal*
18 *year on transportation research and development and the*
19 *amount proposed in the current budget for transportation*
20 *research and development.*

21 “(c) *NATIONAL RESEARCH COUNCIL REVIEW.*—*The*
22 *Secretary shall enter into an agreement for the review by*
23 *the National Research Council of the details of each—*

24 “(1) *strategic plan under section 508;*

1 “(2) performance plan required under section
2 1115 of title 31; and

3 “(3) program performance report required under
4 section 1116 of title 31,
5 with respect to transportation research and development.”.

6 (b) *CONFORMING AMENDMENT.*—*The analysis for*
7 *chapter 5 of such title is amended by striking the item re-*
8 *lated to section 508 and inserting the following:*

 “508. *Transportation research and development strategic planning.*”.

9 **SEC. 5214. LIMITATION ON REMEDIES FOR FUTURE STRA-**
10 **TEGIC HIGHWAY RESEARCH PROGRAM.**

11 *Section 510 of title 23, United States Code, as added*
12 *by section 5209 of this Act, is amended by inserting after*
13 *subsection (f) the following:*

14 “(g) *LIMITATION OF REMEDIES.*—

15 “(1) *SAME REMEDY AS IF UNITED STATES.*—*The*
16 *remedy against the United States provided by sections*
17 *1346(b) and 2672 of title 28 for injury, loss of prop-*
18 *erty, personal injury, or death shall apply to any*
19 *claim against the National Academy of Sciences for*
20 *money damages for injury, loss of property, personal*
21 *injury, or death caused by any negligent or wrongful*
22 *act or omission by employees and individuals de-*
23 *scribed in paragraph (3) arising from activities con-*
24 *ducted under or in connection with this section. Any*
25 *such claim shall be subject to the limitations and ex-*

1 *ceptions which would be applicable to such claim if*
2 *such claim were against the United States. With re-*
3 *spect to any such claim, the Secretary shall be treated*
4 *as the head of the appropriate Federal agency for*
5 *purposes of sections 2672 and 2675 of title 28.*

6 *“(2) EXCLUSIVENESS OF REMEDY.—The remedy*
7 *referred to in paragraph (1) shall be exclusive of any*
8 *other civil action or proceeding for the purpose of de-*
9 *termining liability arising from any such act or*
10 *omission without regard to when the act or omission*
11 *occurred.*

12 *“(3) TREATMENT.—Employees of the National*
13 *Academy of Sciences and other individuals appointed*
14 *by the president of the National Academy of Sciences*
15 *and acting on its behalf in connection with activities*
16 *carried out under this section shall be treated as if*
17 *they are employees of the Federal Government under*
18 *section 2671 of title 28 for purposes of a civil action*
19 *or proceeding with respect to a claim described in*
20 *paragraph (1). The civil action or proceeding shall*
21 *proceed in the same manner as any proceeding under*
22 *chapter 171 of title 28 or action against the United*
23 *States filed pursuant to section 1346(b) of title 28*
24 *and shall be subject to the limitations and exceptions*
25 *applicable to such a proceeding or action.*

1 (1) *provide training, information and profes-*
2 *sional resources for small metropolitan and rural re-*
3 *gions to pursue innovative strategies to expand the*
4 *capabilities, capacity and effectiveness of a region's*
5 *transportation network, including activities related to*
6 *freight projects, transit system upgrades, roadways*
7 *and bridges, and intermodal transfer facilities and*
8 *operations;*

9 (2) *assist local officials, rural transportation*
10 *and economic development planners, officials from*
11 *State departments of transportation and economic de-*
12 *velopment, business leaders and other stakeholders in*
13 *developing public-private partnerships to enhance*
14 *their transportation systems; and*

15 (3) *promote the leveraging of regional transpor-*
16 *tation planning with regional economic and business*
17 *development planning to assure that appropriate*
18 *transportation systems are created.*

19 (c) *PROGRAM ADMINISTRATION.—To carry out this*
20 *section, the Secretary shall make a grant to, or enter into*
21 *a cooperative agreement or contract with, a national asso-*
22 *ciation of regional economic development and transpor-*
23 *tation professionals with a focus on small metropolitan and*
24 *rural regions.*

1 **Subtitle C—University Transpor-**
2 **tation Research; Scholarship**
3 **Opportunities**

4 **SEC. 5301. NATIONAL UNIVERSITY TRANSPORTATION CEN-**
5 **TERS.**

6 (a) *IN GENERAL.*—Section 5505 of title 49, United
7 States Code, is amended to read as follows:

8 **“§ 5505. National university transportation centers**

9 “(a) *IN GENERAL.*—

10 “(1) *ESTABLISHMENT AND OPERATION.*—The
11 Secretary of Transportation shall make grants under
12 this section to eligible nonprofit institutions of higher
13 learning to establish and operate national university
14 transportation centers.

15 “(2) *ROLE OF CENTERS.*—The role of each center
16 shall be to advance significantly transportation re-
17 search on critical national transportation issues and
18 to expand the workforce of transportation profes-
19 sionals.

20 “(b) *APPLICABILITY OF REQUIREMENTS.*—A grant re-
21 ceived by an eligible nonprofit institution of higher learning
22 under this section shall be available for the same purposes,
23 and shall be subject to the same terms and conditions, as
24 a grant made to a nonprofit institution of higher learning
25 under section 5506.

1 “(c) *ELIGIBLE NONPROFIT INSTITUTION OF HIGHER*
 2 *LEARNING DEFINED.*—*In this section, the term ‘eligible*
 3 *nonprofit institution of higher learning’ means each of the*
 4 *lead institutions identified in subsections (j)(4)(A),*
 5 *(j)(4)(B), and (j)(4)(F) of section 5505 as in effect on the*
 6 *day before the date of enactment of the Transportation Eq-*
 7 *uity Act: A Legacy for Users, the university referred to in*
 8 *section 704 of Public Law 103–206 (107 Stat. 2447), and*
 9 *the university that, as of the day before such date of enact-*
 10 *ment, is the lead institution for the regional university*
 11 *transportation center for region 5 of the Standard Federal*
 12 *Regional Boundary System.*

13 “(d) *GRANTS.*—*In each of fiscal years 2004 through*
 14 *2009, the Secretary shall make a grant under this section*
 15 *to each eligible nonprofit institution of higher learning in*
 16 *an amount not to exceed \$3,500,000.”.*

17 “(b) *CONFORMING AMENDMENT.*—*The analysis for sub-*
 18 *chapter I of chapter 55 of such title is amended by striking*
 19 *the item relating to section 5505 and inserting the fol-*
 20 *lowing:*

“5505. *National university transportation centers.*”.

21 **SEC. 5302. UNIVERSITY TRANSPORTATION RESEARCH.**

22 “(a) *IN GENERAL.*—*Section 5506 of title 49, United*
 23 *States Code, is amended to read as follows:*

1 **“§ 5506. University transportation research**

2 “(a) *IN GENERAL.*—*The Secretary of Transportation*
3 *shall make grants under this section to nonprofit institu-*
4 *tions of higher learning to establish and operate university*
5 *transportation centers.*

6 “(b) *OBJECTIVES.*—*Grants received under this section*
7 *shall be used by nonprofit institutions of higher learning*
8 *to advance significantly the state-of-the-art in transpor-*
9 *tation research and expand the workforce of transportation*
10 *professionals through the following programs and activities:*

11 “(1) *RESEARCH.*—*Basic and applied research,*
12 *the products of which are judged by peers or other ex-*
13 *perts in the field of transportation to advance the*
14 *body of knowledge in transportation.*

15 “(2) *EDUCATION.*—*An education program relat-*
16 *ing to transportation that includes multidisciplinary*
17 *course work and participation in research.*

18 “(3) *TECHNOLOGY TRANSFER.*—*An ongoing pro-*
19 *gram of technology transfer that makes transportation*
20 *research results available to potential users in a form*
21 *that can be implemented, utilized, or otherwise ap-*
22 *plied.*

23 “(c) *REGIONAL, TIER I, AND TIER II CENTERS.*—

24 “(1) *IN GENERAL.*—*For each of fiscal years 2004*
25 *through 2009, the Secretary shall make grants under*

1 *subsection (a) to nonprofit institutions of higher*
2 *learning to establish and operate—*

3 *“(A) 10 regional university transportation*
4 *centers; and*

5 *“(B) 10 Tier I university transportation*
6 *centers.*

7 *“(2) TIER II CENTERS.—For each of fiscal years*
8 *2005 through 2009, the Secretary shall make grants*
9 *under subsection (a) to nonprofit institutions of high-*
10 *er learning to establish and operate 10 Tier II uni-*
11 *versity transportation centers.*

12 *“(3) LOCATION OF REGIONAL CENTERS.—One re-*
13 *gional university transportation center shall be lo-*
14 *cated in each of the 10 United States Government re-*
15 *gions that comprise the Standard Federal Regional*
16 *Boundary System.*

17 *“(4) LIMITATION.—A nonprofit institution of*
18 *higher learning may not directly receive a grant*
19 *under this section for a fiscal year for more than one*
20 *university transportation center.*

21 *“(d) COMPETITIVE SELECTION PROCESS.—*

22 *“(1) APPLICATIONS.—In order to be eligible to*
23 *receive a grant under this section, a nonprofit institu-*
24 *tion of higher learning shall submit to the Secretary*

1 *an application that is in such form and contains such*
2 *information as the Secretary may require.*

3 “(2) *GENERAL SELECTION CRITERIA.—Except as*
4 *otherwise provided by this section, the Secretary shall*
5 *select each recipient of a grant under this section*
6 *through a competitive process on the basis of the fol-*
7 *lowing:*

8 “(A) *The demonstrated research and exten-*
9 *sion resources available to the recipient to carry*
10 *out this section.*

11 “(B) *The capability of the recipient to pro-*
12 *vide leadership in making national and regional*
13 *contributions to the solution of immediate and*
14 *long-range transportation problems.*

15 “(C) *The recipient’s demonstrated commit-*
16 *ment of at least \$400,000 each year in regularly*
17 *budgeted institutional amounts to support ongo-*
18 *ing transportation research and education pro-*
19 *grams.*

20 “(D) *The recipient’s demonstrated ability to*
21 *disseminate results of transportation research*
22 *and education programs through a statewide or*
23 *regionwide continuing education program.*

24 “(E) *The strategic plan the recipient pro-*
25 *poses to carry out under the grant.*

1 “(e) *REGIONAL UNIVERSITY TRANSPORTATION CEN-*
2 *TERS.*—

3 “(1) *COMPETITION.*—*Not later than August 31,*
4 *2005, and not later than March 31st of every 4th year*
5 *thereafter, the Secretary shall complete a competition*
6 *among nonprofit institutions of higher learning for*
7 *grants to establish and operate the 10 regional uni-*
8 *versity transportation centers referred to in subsection*
9 *(c)(1)(A).*

10 “(2) *SELECTION CRITERIA.*—*In conducting a*
11 *competition under paragraph (1), the Secretary shall*
12 *select a nonprofit institution of higher learning on the*
13 *basis of—*

14 “(A) *the criteria described in subsection*
15 *(d)(2);*

16 “(B) *the location of the center within the*
17 *Federal region to be served; and*

18 “(C) *whether or not the institution (or, in*
19 *the case of a consortium of institutions, the lead*
20 *institution) can demonstrate that it has a well-*
21 *established, nationally recognized program in*
22 *transportation research and education, as evi-*
23 *denced by—*

24 “(i) *not less than \$2,000,000 in high-*
25 *way or public transportation research ex-*

1 *penditures each year for each of the pre-*
2 *ceding 5 years;*

3 *“(ii) not less than 10 graduate degrees*
4 *awarded in professional fields closely re-*
5 *lated to highways and public transportation*
6 *for year for each of the preceding 5 years;*
7 *and*

8 *“(iii) not less than 5 tenured or ten-*
9 *ure-track faculty members who specialize on*
10 *a full-time basis in professional fields close-*
11 *ly related to highways and public transpor-*
12 *tation who, as a group, have published a*
13 *total at least 50 refereed journal publica-*
14 *tions on highway or public transportation*
15 *research during the preceding 5 years.*

16 *“(3) GRANT RECIPIENTS.—After selecting a non-*
17 *profit institution of higher learning as a grant recipi-*
18 *ent on the basis of a competition conducted under this*
19 *subsection, the Secretary shall make a grant to the re-*
20 *cipient to establish and operate a regional university*
21 *transportation center in each of the first 4 fiscal*
22 *years beginning after the date of the competition.*

23 *“(4) SPECIAL RULE FOR FISCAL YEARS 2004 AND*
24 *2005.—For each of fiscal years 2004 and 2005, the*
25 *Secretary shall make a grant under this section to*

1 *each of the 10 nonprofit institutions of higher learn-*
2 *ing that were competitively selected for grants by the*
3 *Secretary under this section in July 1999 to operate*
4 *regional university transportation centers.*

5 *“(5) AMOUNT OF GRANTS.—For each of fiscal*
6 *years 2004 through 2009, a grant made by the Sec-*
7 *retary to a nonprofit institution of higher learning*
8 *for a fiscal year to establish and operate a regional*
9 *university transportation center shall not exceed*
10 *\$3,500,000.*

11 *“(f) TIER I UNIVERSITY TRANSPORTATION CEN-*
12 *TERS.—*

13 *“(1) COMPETITION.—Not later than March 31,*
14 *2006, and not later than March 31st of every 4th year*
15 *thereafter, the Secretary shall complete a competition*
16 *among nonprofit institutions of higher learning for*
17 *grants to establish and operate the 10 Tier I univer-*
18 *sity transportation centers referred to in subsection*
19 *(c)(1)(B).*

20 *“(2) SELECTION CRITERIA.—In conducting a*
21 *competition under paragraph (1), the Secretary shall*
22 *select a nonprofit institution of higher learning on the*
23 *basis of—*

24 *“(A) the criteria described in subsection*
25 *(d)(2); and*

1 “(B) whether or not the institution (or, in
2 the case of a consortium of institutions, the lead
3 institution) can demonstrate that it has an es-
4 tablished, recognized program in transportation
5 research and education, as evidenced by—

6 “(i) not less than \$1,000,000 in high-
7 way or public transportation research ex-
8 penditures each year for each of the pre-
9 ceding 5 years or not less than \$6,000,000
10 in such expenditures during the 5 preceding
11 years;

12 “(ii) not less than 5 graduate degrees
13 awarded in professional fields closely re-
14 lated to highways and public transportation
15 each year for each of the preceding 5 years;
16 and

17 “(iii) not less than 3 tenured or ten-
18 ure-track faculty members who specialize on
19 a full-time basis in professional fields close-
20 ly related to highways and public transpor-
21 tation who, as a group, have published a
22 total at least 20 refereed journal publica-
23 tions on highway or public transportation
24 research during the preceding 5 years.

1 “(3) *GRANT RECIPIENTS.*—After selecting a non-
2 profit institution of higher learning as a grant recipi-
3 ent on the basis of a competition conducted under this
4 subsection, the Secretary shall make a grant to the re-
5 cipient to establish and operate a Tier I university
6 transportation center in each of the first 4 fiscal
7 years beginning after the date of the competition.

8 “(4) *SPECIAL RULE FOR FISCAL YEARS 2004,*
9 *2005, AND 2006.*—For each of fiscal years 2004, 2005,
10 and 2006, the Secretary shall make a grant under
11 this section to each of the 10 nonprofit institutions of
12 higher learning that were competitively selected for
13 grant awards by the Secretary under this section in
14 May 2002 to operate university transportation centers
15 (other than regional centers).

16 “(5) *AMOUNT OF GRANTS.*—A grant made by the
17 Secretary to a nonprofit institution of higher learning
18 for a fiscal year to establish and operate a Tier I uni-
19 versity transportation center shall not exceed
20 \$1,000,000 for fiscal year 2004 and \$1,500,000 for
21 each of fiscal years 2005 through 2009.

22 “(g) *TIER II UNIVERSITY TRANSPORTATION CEN-*
23 *TERS.*—

24 “(1) *COMPETITION.*—Not later than 60 days
25 after the date of enactment of the Transportation Eq-

1 *uity Act: A Legacy for Users, not later than March*
2 *31, 2008, and not later than March 31st of every 4th*
3 *year thereafter, the Secretary shall complete a com-*
4 *petition among nonprofit institutions of higher learn-*
5 *ing for grants to establish and operate the 10 Tier II*
6 *university transportation centers referred to in sub-*
7 *section (c)(2).*

8 “(2) *SELECTION CRITERIA.*—*In conducting a*
9 *competition under paragraph (1), the Secretary shall*
10 *select a nonprofit institution of higher learning on the*
11 *basis of the criteria described in subsection (f)(2).*

12 “(3) *GRANT RECIPIENTS.*—*After selecting a non-*
13 *profit institution of higher learning as a grant recipi-*
14 *ent on the basis of a competition conducted under this*
15 *subsection, the Secretary shall—*

16 “(A) *in the case of the competition to be*
17 *completed not later than 60 days after the date*
18 *of enactment of the Transportation Equity Act:*
19 *A Legacy for Users, make a grant to the recipi-*
20 *ent to establish and operate a Tier II university*
21 *transportation center in each of fiscal years 2005*
22 *through 2008; and*

23 “(B) *in the case of each subsequent competi-*
24 *tion, make a grant to the recipient to establish*
25 *and operate a Tier II university transportation*

1 center in each of the first 4 fiscal years begin-
2 ning after the date of the competition.

3 “(4) *AMOUNT OF GRANTS.*—For each of fiscal
4 years 2005 through 2009, a grant made by the Sec-
5 retary to a nonprofit institution of higher learning
6 for a fiscal year to establish and operate a Tier II
7 university transportation center shall not exceed
8 \$1,000,000.

9 “(h) *SUPPORT OF NATIONAL STRATEGY FOR SURFACE*
10 *TRANSPORTATION RESEARCH.*—In order to be eligible to re-
11 ceive a grant under this section, a nonprofit institution of
12 higher learning shall provide assurances satisfactory to the
13 Secretary that the research and education activities of its
14 university transportation center will support the national
15 strategy for surface transportation research, as identified
16 by—

17 “(1) the report of the National Highway Re-
18 search and Technology Partnership entitled ‘Highway
19 Research and Technology: The Need for Greater In-
20 vestment’, dated April 2002; and

21 “(2) the programs of the National Research and
22 Technology Program of the Federal Transit Adminis-
23 tration.

24 “(i) *MAINTENANCE OF EFFORT.*—In order to be eligi-
25 ble to receive a grant under this section, a nonprofit institu-

1 *tion of higher learning shall enter into an agreement with*
2 *the Secretary to ensure that the institution will maintain*
3 *total expenditures from all other sources to establish and*
4 *operate a university transportation center and related re-*
5 *search activities at a level at least equal to the average level*
6 *of such expenditures in its 2 fiscal years prior to award*
7 *of a grant under this section.*

8 “(j) *FEDERAL SHARE.*—*The Federal share of the costs*
9 *of activities carried out using a grant made under this sec-*
10 *tion shall be 50 percent of such costs. The non-Federal share*
11 *may include funds provided to a recipient under section*
12 *503, 504(b), or 505 of title 23.*

13 “(k) *PROGRAM COORDINATION.*—

14 “(1) *COORDINATION.*—*The Secretary shall co-*
15 *ordinate the research, education, and technology*
16 *transfer activities that grant recipients carry out*
17 *under this section, disseminate the results of the re-*
18 *search, and establish and operate a clearinghouse to*
19 *disseminate the results of the research.*

20 “(2) *ANNUAL REVIEW AND EVALUATION.*—*At*
21 *least annually, and consistent with the plan developed*
22 *under section 508 of title 23, the Secretary shall re-*
23 *view and evaluate programs of grant recipients.*

24 “(3) *MANAGEMENT AND OVERSIGHT.*—*The Sec-*
25 *retary shall expend \$1,500,000 for each of fiscal years*

1 (2) *PARTNERSHIP.*—*The Secretary may establish*
2 *the program in partnership with appropriate non-*
3 *governmental institutions.*

4 (b) *PARTICIPATION AND FUNDING.*—*An operating ad-*
5 *ministration of the Department of Transportation and the*
6 *Office of Inspector General may participate in the scholar-*
7 *ship program. Notwithstanding any other provision of law,*
8 *the Secretary may use funds available to an operating ad-*
9 *ministration or from the Office of Inspector General of the*
10 *Department of Transportation for the purpose of carrying*
11 *out this section.*

12 ***Subtitle D—Advanced Technologies***

13 ***SEC. 5401. ADVANCED HEAVY-DUTY VEHICLE TECH-*** 14 ***NOLOGIES RESEARCH PROGRAM.***

15 (a) *IN GENERAL.*—*Subchapter I of chapter 55 of title*
16 *49, United States Code, is amended by adding at the end*
17 *the following:*

18 ***“§5507. Advanced heavy-duty vehicle technologies re-*** 19 ***search program***

20 ***“(a) IN GENERAL.***—*The Secretary of Transportation*
21 *shall conduct research, development, demonstration, and*
22 *testing to integrate emerging advanced heavy-duty vehicle*
23 *technologies in order to provide seamless, safe, secure, and*
24 *efficient transportation and to benefit the environment.*

1 “(b) *CONSULTATION.*—*To ensure the activities per-*
2 *formed pursuant to this section achieve the maximum ben-*
3 *efit, the Secretary of Transportation shall consult with the*
4 *Secretary of Energy, the Administrator of the Environ-*
5 *mental Protection Agency, and other relevant Federal agen-*
6 *cies on research, development, and demonstration activities*
7 *authorized under this section related to advanced heavy-*
8 *duty vehicle technologies.*

9 “(c) *GRANTS, COOPERATIVE AGREEMENTS, AND*
10 *OTHER TRANSACTIONS.*—*The Secretary may make grants*
11 *to, and enter into cooperative agreements and other trans-*
12 *actions with, Federal and other public agencies (including*
13 *State and local governments) and persons to carry out sub-*
14 *section (a).*

15 “(d) *COST SHARING.*—*At least 50 percent of the fund-*
16 *ing for projects carried out under this section must be pro-*
17 *vided by non-Federal sources.*

18 “(e) *AUTHORIZATION OF APPROPRIATIONS.*—*There are*
19 *authorized to be appropriated from the Highway Trust*
20 *Fund (other than the Mass Transit Account) to carry out*
21 *subsection (a) \$1,000,000 for fiscal year 2004 and*
22 *\$3,000,000 for each of fiscal years 2005 through 2009.*

23 “(f) *CONTRACT AUTHORITY.*—*The funds authorized to*
24 *be appropriated by subsection (e) shall be available for obli-*
25 *gation in the same manner as if such funds were appor-*

1 *tioned under chapter 1 of title 23 and shall be subject to*
2 *any limitation on obligations imposed on funds made avail-*
3 *able to carry out title V of the Transportation Equity Act:*
4 *A Legacy for Users.”.*

5 (b) *CONFORMING AMENDMENT.—The analysis for sub-*
6 *chapter I of chapter 55 of such title is amended by adding*
7 *at the end the following:*

“5507. Advanced heavy-duty vehicle technologies research program.”.

8 **SEC. 5402. COMMERCIAL REMOTE SENSING PRODUCTS AND**
9 **SPATIAL INFORMATION TECHNOLOGIES.**

10 (a) *IN GENERAL.—The Secretary shall establish and*
11 *carry out a program to validate commercial remote sensing*
12 *products and spatial information technologies for applica-*
13 *tion to national transportation infrastructure development*
14 *and construction.*

15 (b) *PROGRAM.—*

16 (1) *NATIONAL POLICY.—The Secretary shall es-*
17 *tablish and maintain a national policy for the use of*
18 *commercial remote sensing products and spatial in-*
19 *formation technologies in national transportation in-*
20 *frastructure development and construction.*

21 (2) *POLICY IMPLEMENTATION.—The Secretary*
22 *shall develop new applications of commercial remote*
23 *sensing products and spatial information technologies*
24 *for the implementation of the national policy estab-*
25 *lished and maintained under paragraph (1).*

1 (c) *COOPERATION.*—*The Secretary shall carry out this*
2 *section in cooperation with the commercial remote sensing*
3 *program of the National Aeronautics and Space Adminis-*
4 *tration and a consortium of university research centers.*

5 (d) *FUNDING.*—*Of the amounts made available by sec-*
6 *tion 5101(a)(1) of this Act, \$3,000,000 for fiscal year 2004*
7 *and \$9,000,000 for each of fiscal years 2005 through 2009*
8 *shall be available to carry out this section.*

9 ***Subtitle E—Transportation Data***
10 ***and Analysis***

11 ***SEC. 5501. BUREAU OF TRANSPORTATION STATISTICS.***

12 *Section 111 of title 49, United States Code, is amended*
13 *to read as follows:*

14 ***“§ 111. Bureau of Transportation Statistics***

15 *“(a) ESTABLISHMENT.—There is established in the Re-*
16 *search and Innovative Technology Administration a Bu-*
17 *reau of Transportation Statistics.*

18 *“(b) DIRECTOR.—*

19 *“(1) APPOINTMENT.—The Bureau shall be head-*
20 *ed by a Director who shall be appointed in the com-*
21 *petitive service by the Secretary.*

22 *“(2) QUALIFICATIONS.—The Director shall be*
23 *appointed from among individuals who are qualified*
24 *to serve as the Director by virtue of their training*

1 *and experience in the collection, analysis, and use of*
2 *transportation statistics.*

3 “(c) *RESPONSIBILITIES.*—*The Director of the Bureau*
4 *shall serve as the Secretary’s senior advisor on data and*
5 *statistics, and shall be responsible for carrying out the fol-*
6 *lowing duties:*

7 “(1) *PROVIDING DATA, STATISTICS, AND ANAL-*
8 *YSIS TO TRANSPORTATION DECISIONMAKERS.*—*Ensuring*
9 *that the statistics compiled under paragraph (5)*
10 *are designed to support transportation decision-*
11 *making by the Federal Government, State and local*
12 *governments, metropolitan planning organizations,*
13 *transportation-related associations, the private sector*
14 *(including the freight community), and the public.*

15 “(2) *COORDINATING COLLECTION OF INFORMA-*
16 *TION.*—*Working with the operating administrations*
17 *of the Department to establish and implement the Bu-*
18 *reau’s data programs and to improve the coordina-*
19 *tion of information collection efforts with other Fed-*
20 *eral agencies.*

21 “(3) *DATA MODERNIZATION.*—*Continually im-*
22 *proving surveys and data collection methods to im-*
23 *prove the accuracy and utility of transportation sta-*
24 *tistics.*

1 “(4) *ENCOURAGING DATA STANDARDIZATION.*—
2 *Encouraging the standardization of data, data collec-*
3 *tion methods, and data management and storage tech-*
4 *nologies for data collected by the Bureau, the oper-*
5 *ating administrations of the Department of Transpor-*
6 *tation, States, local governments, metropolitan plan-*
7 *ning organizations, and private sector entities.*

8 “(5) *COMPILING TRANSPORTATION STATISTICS.*—
9 *Compiling, analyzing, and publishing a comprehen-*
10 *sive set of transportation statistics on the performance*
11 *and impacts of the national transportation system,*
12 *including statistics on—*

13 “(A) *productivity in various parts of the*
14 *transportation sector;*

15 “(B) *traffic flows for all modes of transpor-*
16 *tation;*

17 “(C) *other elements of the Intermodal*
18 *Transportation Database established under sub-*
19 *section (g);*

20 “(D) *travel times and measures of conges-*
21 *tion;*

22 “(E) *vehicle weights and other vehicle char-*
23 *acteristics;*

24 “(F) *demographic, economic, and other*
25 *variables influencing traveling behavior, includ-*

1 *ing choice of transportation mode, and goods*
2 *movement;*

3 “(G) *transportation costs for passenger*
4 *travel and goods movement;*

5 “(H) *availability and use of mass transit*
6 *(including the number of passengers served by*
7 *each mass transit authority) and other forms of*
8 *for-hire passenger travel;*

9 “(I) *frequency of vehicle and transportation*
10 *facility repairs and other interruptions of trans-*
11 *portation service;*

12 “(J) *safety and security for travelers, vehi-*
13 *cles, and transportation systems;*

14 “(K) *consequences of transportation for the*
15 *human and natural environment;*

16 “(L) *the extent, connectivity, and condition*
17 *of the transportation system, building on the Na-*
18 *tional Transportation Atlas Database developed*
19 *under subsection (g); and*

20 “(M) *transportation-related variables that*
21 *influence the domestic economy and global com-*
22 *petitiveness.*

23 “(6) *NATIONAL SPATIAL DATA INFRASTRUC-*
24 *TURE.—Building and disseminating the transpor-*
25 *tation layer of the National Spatial Data Infrastruc-*

1 *ture, including coordinating the development of trans-*
2 *portation geospatial data standards, compiling inter-*
3 *modal geospatial data, and collecting geospatial data*
4 *that is not being collected by others.*

5 “(7) *ISSUING GUIDELINES.*—*Issuing guidelines*
6 *for the collection of information by the Department of*
7 *Transportation required for statistics to be compiled*
8 *under paragraph (5) in order to ensure that such in-*
9 *formation is accurate, reliable, relevant, and in a*
10 *form that permits systematic analysis. The Bureau*
11 *shall review and report to the Secretary of Transpor-*
12 *tation on the sources and reliability of the statistics*
13 *proposed by the heads of the operating administra-*
14 *tions of the Department to measure outputs and out-*
15 *comes as required by the Government Performance*
16 *and Results Act of 1993, and the amendments made*
17 *by such Act, and shall carry out such other reviews*
18 *of the sources and reliability of other data collected or*
19 *statistical information published by the heads of the*
20 *operating administrations of the Department as shall*
21 *be requested by the Secretary.*

22 “(8) *MAKING STATISTICS ACCESSIBLE.*—*Making*
23 *the statistics published under this subsection readily*
24 *accessible.*

25 “(d) *INFORMATION NEEDS ASSESSMENT.*—

1 “(1) *IN GENERAL.*—Within 60 days after the
2 date of the enactment of the *Transportation Equity*
3 *Act: A Legacy for Users*, the Secretary shall enter into
4 an arrangement with the *National Research Council*
5 to develop and publish a *National Transportation In-*
6 *formation Needs Assessment* (referred to in this sub-
7 section as the ‘*Assessment*’). The *Assessment* shall be
8 transmitted to the Secretary and the Congress not
9 later than 24 months after such arrangement is en-
10 tered into.

11 “(2) *CONTENT.*—The *Assessment* shall—

12 “(A) identify, in priority order, transpor-
13 tation data that is not being collected by the Bu-
14 reau, Department of Transportation operating
15 administrations, or other Federal, State, or local
16 entities, but is needed to improve transportation
17 decisionmaking at the Federal, State, and local
18 level and to fulfill the requirements of subsection
19 (c)(5);

20 “(B) recommend whether the data identified
21 in subparagraph (A) should be collected by the
22 Bureau, other parts of the Department, or by
23 other Federal, State, or local entities, and wheth-
24 er any data is a higher priority than data cur-
25 rently being collected;

1 “(C) identify any data the Bureau or other
2 Federal, State, and local entities is collecting
3 that is not needed;

4 “(D) describe new data collection methods
5 (including changes in surveys) and other changes
6 the Bureau or other Federal, State, and local en-
7 tities should implement to improve the standard-
8 ization, accuracy, and utility of transportation
9 data and statistics; and

10 “(E) estimate the cost of implementing any
11 recommendations.

12 “(3) CONSULTATION.—In developing the Assess-
13 ment, the National Research Council shall consult
14 with the Department’s Advisory Council on Transpor-
15 tation Statistics and a representative cross-section of
16 transportation community stakeholders as well as
17 other Federal agencies, including the Environmental
18 Protection Agency, the Department of Energy, and
19 the Department of Housing and Urban Development.

20 “(4) REPORT TO CONGRESS.—Not later than 6
21 months after the National Research Council transmits
22 the Assessment under paragraph (1), the Secretary
23 shall transmit a report to Congress that describes—

24 “(A) how the Department plans to fill the
25 data gaps identified under paragraph (2)(A);

1 “(B) how the Department plans to stop col-
2 lecting data identified under paragraph (2)(C);

3 “(C) how the Department plans to imple-
4 ment improved data collection methods and other
5 changes identified under paragraph (2)(D);

6 “(D) the expected costs of implementing
7 subparagraphs (A), (B), and (C) of this para-
8 graph;

9 “(E) any findings of the Assessment under
10 paragraph (1) with which the Secretary dis-
11 agrees, and why; and

12 “(F) any proposed statutory changes needed
13 to implement the findings of the Assessment
14 under paragraph (1).

15 “(e) *INTERMODAL TRANSPORTATION DATA BASE.*—

16 “(1) *IN GENERAL.*—In consultation with the
17 Under Secretary for Policy, the Assistant Secretaries,
18 and the heads of the operating administrations of the
19 Department of Transportation, the Director shall es-
20 tablish and maintain a transportation data base for
21 all modes of transportation.

22 “(2) *USE.*—The data base shall be suitable for
23 analyses carried out by the Federal Government, the
24 States, and metropolitan planning organizations.

25 “(3) *CONTENTS.*—The data base shall include—

1 “(A) information on the volumes and pat-
2 terns of movement of goods, including local,
3 interregional, and international movement, by
4 all modes of transportation and intermodal com-
5 binations, and by relevant classification;

6 “(B) information on the volumes and pat-
7 terns of movement of people, including local,
8 interregional, and international movements, by
9 all modes of transportation (including bicycle
10 and pedestrian modes) and intermodal combina-
11 tions, and by relevant classification;

12 “(C) information on the location and
13 connectivity of transportation facilities and serv-
14 ices; and

15 “(D) a national accounting of expenditures
16 and capital stocks on each mode of transpor-
17 tation and intermodal combination.

18 “(f) NATIONAL TRANSPORTATION LIBRARY.—

19 “(1) IN GENERAL.—The Director shall establish
20 and maintain a National Transportation Library,
21 which shall contain a collection of statistical and
22 other information needed for transportation decision-
23 making at the Federal, State, and local levels.

24 “(2) ACCESS.—The Director shall facilitate and
25 promote access to the Library, with the goal of im-

1 *proving the ability of the transportation community*
2 *to share information and the ability of the Director*
3 *to make statistics readily accessible under subsection*
4 *(c)(8).*

5 *“(3) COORDINATION.—The Director shall work*
6 *with other transportation libraries and other trans-*
7 *portation information providers, both public and pri-*
8 *vate, to achieve the goal specified in paragraph (2).*

9 *“(g) NATIONAL TRANSPORTATION ATLAS DATA*
10 *BASE.—*

11 *“(1) IN GENERAL.—The Director shall develop*
12 *and maintain geospatial data bases that depict—*

13 *“(A) transportation networks;*

14 *“(B) flows of people, goods, vehicles, and*
15 *craft over the networks; and*

16 *“(C) social, economic, and environmental*
17 *conditions that affect or are affected by the net-*
18 *works.*

19 *“(2) INTERMODAL NETWORK ANALYSIS.—The*
20 *data bases shall be able to support intermodal net-*
21 *work analysis.*

22 *“(h) MANDATORY RESPONSE AUTHORITY FOR*
23 *FREIGHT DATA COLLECTION.—Whoever, being the owner,*
24 *official, agent, person in charge, or assistant to the person*
25 *in charge of any corporation, company, business, institu-*

1 *tion, establishment, or organization of any nature whatso-*
2 *ever, neglects or refuses, when requested by the Director or*
3 *other authorized officer, employee, or contractor of the Bu-*
4 *reau, to answer completely and correctly to the best of his*
5 *or her knowledge all questions relating to the corporation,*
6 *company, business, institution, establishment, or other or-*
7 *ganization, or to make available records or statistics in his*
8 *or her official custody, contained in a data collection re-*
9 *quest prepared and submitted under the authority of sub-*
10 *section (c)(1), shall be fined not more than \$500; but if he*
11 *or she willfully gives a false answer to such a question, he*
12 *or she shall be fined not more than \$10,000.*

13 “(i) *RESEARCH AND DEVELOPMENT GRANTS.—The*
14 *Secretary may make grants to, or enter into cooperative*
15 *agreements or contracts with, public and nonprofit private*
16 *entities (including State transportation departments, met-*
17 *ropolitan planning organizations, and institutions of high-*
18 *er education) for—*

19 “(1) *investigation of the subjects specified in sub-*
20 *section (c)(5) and research and development of new*
21 *methods of data collection, standardization, manage-*
22 *ment, integration, dissemination, interpretation, and*
23 *analysis;*

24 “(2) *demonstration programs by States, local*
25 *governments, and metropolitan planning organiza-*

1 *tions to harmonize data collection, reporting, manage-*
2 *ment, storage, and archiving to simplify data com-*
3 *parisons across jurisdictions;*

4 *“(3) development of electronic clearinghouses of*
5 *transportation data and related information, as part*
6 *of the National Transportation Library under sub-*
7 *section (f); and*

8 *“(4) development and improvement of methods*
9 *for sharing geographic data, in support of the na-*
10 *tional transportation atlas data base under subsection*
11 *(g) and the National Spatial Data Infrastructure de-*
12 *veloped under Executive Order No. 12906.*

13 *“(j) LIMITATIONS ON STATUTORY CONSTRUCTION.—*
14 *Nothing in this section shall be construed—*

15 *“(1) to authorize the Bureau to require any other*
16 *department or agency to collect data; or*

17 *“(2) to reduce the authority of any other officer*
18 *of the Department of Transportation to collect and*
19 *disseminate data independently.*

20 *“(k) PROHIBITION ON CERTAIN DISCLOSURES.—*

21 *“(1) IN GENERAL.—An officer, employee or con-*
22 *tractor of the Bureau may not—*

23 *“(A) make any disclosure in which the data*
24 *provided by an individual or organization under*
25 *subsection (c) can be identified;*

1 “(B) use the information provided under
2 subsection (c) for a nonstatistical purpose; or

3 “(C) permit anyone other than an indi-
4 vidual authorized by the Director to examine
5 any individual report provided under subsection
6 (c).

7 “(3) *INFORMING RESPONDENT OF USE OF*
8 *DATA.*—In a case in which the Bureau is authorized
9 by statute to collect data or information for a non-
10 statistical purpose, the Director shall clearly distin-
11 guish the collection of the data or information, by
12 rule and on the collection instrument, so as to inform
13 a respondent that is requested or required to supply
14 the data or information of the nonstatistical purpose.

15 “(l) *TRANSPORTATION STATISTICS ANNUAL RE-*
16 *PORT.*—The Director shall transmit to the President and
17 Congress a Transportation Statistics Annual Report which
18 shall include information on items referred to in subsection
19 (c)(5), documentation of methods used to obtain and ensure
20 the quality of the statistics presented in the report, and rec-
21 ommendations for improving transportation statistical in-
22 formation.

23 “(m) *DATA ACCESS.*—The Director shall have access
24 to transportation and transportation-related information

1 *in the possession of any Federal agency except informa-*
2 *tion—*

3 “(1) *the disclosure of which to another Federal*
4 *agency is expressly prohibited by law; or*

5 “(2) *the disclosure of which the agency so re-*
6 *quested determines would significantly impair the*
7 *discharge of authorities and responsibilities which*
8 *have been delegated to, or vested by law, in such agen-*
9 *cy.*

10 “(n) *PROCEEDS OF DATA PRODUCT SALES.—Notwith-*
11 *standing section 3302 of title 31, funds received by the Bu-*
12 *reau from the sale of data products, for necessary expenses*
13 *incurred, may be credited to the Highway Trust Fund*
14 *(other than the Mass Transit Account) for the purpose of*
15 *reimbursing the Bureau for the expenses.*

16 “(o) *ADVISORY COUNCIL ON TRANSPORTATION STATIS-*
17 *TICS.—*

18 “(1) *ESTABLISHMENT.—The Director of the Bu-*
19 *reau of Transportation Statistics shall establish an*
20 *Advisory Council on Transportation Statistics.*

21 “(2) *FUNCTION.—It shall be the function of the*
22 *Advisory Council established under this subsection*
23 *to—*

24 “(A) *advise the Director of the Bureau of*
25 *Transportation Statistics on the quality, reli-*

1 *ability, consistency, objectivity, and relevance of*
2 *transportation statistics and analyses collected,*
3 *supported, or disseminated by the Bureau of*
4 *Transportation Statistics and the Department of*
5 *Transportation;*

6 “(B) *provide input to and review the report*
7 *to Congress under subsection (d)(4); and*

8 “(C) *advise the Director on methods to en-*
9 *courage harmonization and interoperability of*
10 *transportation data collected by the Bureau, the*
11 *operating administrations of the Department of*
12 *Transportation, States, local governments, met-*
13 *ropolitan planning organizations, and private*
14 *sector entities.*

15 “(3) *MEMBERSHIP.—The Advisory Council es-*
16 *tablished under this subsection shall be composed of*
17 *not fewer than 9 and not more than 11 members ap-*
18 *pointed by the Director, who are not officers or em-*
19 *ployees of the United States. Each member shall have*
20 *expertise in transportation data collection or analysis*
21 *or application; except that 1 member shall have ex-*
22 *pertise in economics, 1 member shall have expertise in*
23 *statistics, and 1 member shall have experience in*
24 *transportation safety. At least 1 member shall be a*
25 *senior official of a State department of transpor-*

1 *tation. Members shall include representation of a*
2 *cross-section of transportation community stake-*
3 *holders.*

4 “(4) *TERMS OF APPOINTMENT.—(A) Except as*
5 *provided in subparagraph (B), members shall be ap-*
6 *pointed to staggered terms not to exceed 3 years. A*
7 *member may be renominated for one additional 3-*
8 *year term.*

9 “(B) *Members serving on the Advisory Council*
10 *on Transportation Statistics as of the date of enact-*
11 *ment of the Transportation Equity Act: A Legacy for*
12 *Users shall serve until the end of their appointed*
13 *terms.*

14 “(5) *APPLICABILITY OF FEDERAL ADVISORY COM-*
15 *MITTEE ACT.—The Federal Advisory Committee Act*
16 *shall apply to the Advisory Council established under*
17 *this subsection, except that section 14 of such Act*
18 *shall not apply to such Advisory Council.”.*

19 **SEC. 5502. REPORTS OF BUREAU OF TRANSPORTATION STA-**
20 **TISTICS.**

21 *Section 111(k) of title 49, United States Code, as*
22 *amended by section 5501 of this Act, is amended by insert-*
23 *ing after paragraph (1) the following:*

24 “(2) *COPIES OF REPORTS.—*

1 “(A) *IN GENERAL.*—No department, bureau,
2 agency, officer, or employee of the United States
3 (except the Director in carrying out this section)
4 may require, for any reason, a copy of any re-
5 port that has been filed under subsection (c) with
6 the Bureau or retained by an individual re-
7 spondent.

8 “(B) *LIMITATION ON JUDICIAL PRO-*
9 *CEEDINGS.*—A copy of a report described in sub-
10 paragraph (A) that has been retained by an in-
11 dividual respondent or filed with the Bureau or
12 any of its employees, contractors, or agents—

13 “(i) shall be immune from legal proc-
14 ess; and

15 “(ii) shall not, without the consent of
16 the individual concerned, be admitted as
17 evidence or used for any purpose in any ac-
18 tion, suit, or other judicial or administra-
19 tive proceedings.

20 “(C) *APPLICABILITY.*—This paragraph shall
21 apply only to reports that permit information
22 concerning an individual or organization to be
23 reasonably determined by direct or indirect
24 means.”.

1 ***Subtitle F—Intelligent***
2 ***Transportation Systems Research***

3 **SEC. 5601. SHORT TITLE.**

4 *This subtitle may be cited as the “Intelligent Trans-*
5 *portation Systems Act of 2005”.*

6 **SEC. 5602. GOALS AND PURPOSES.**

7 (a) *GOALS.—The goals of the intelligent transpor-*
8 *tation system program include—*

9 (1) *enhancement of surface transportation effi-*
10 *ciency and facilitation of intermodalism and inter-*
11 *national trade to enable existing facilities to meet a*
12 *significant portion of future transportation needs, in-*
13 *cluding public access to employment, goods, and serv-*
14 *ices and to reduce regulatory, financial, and other*
15 *transaction costs to public agencies and system users;*

16 (2) *achievement of national transportation safety*
17 *goals, including the enhancement of safe operation of*
18 *motor vehicles and nonmotorized vehicles as well as*
19 *improved emergency response to a crash, with par-*
20 *ticular emphasis on decreasing the number and sever-*
21 *ity of collisions;*

22 (3) *protection and enhancement of the natural*
23 *environment and communities affected by surface*
24 *transportation, with particular emphasis on assisting*

1 *State and local governments to achieve national envi-*
2 *ronmental goals;*

3 *(4) accommodation of the needs of all users of*
4 *surface transportation systems, including operators of*
5 *commercial motor vehicles, passenger motor vehicles,*
6 *motorcycles, and bicycles and pedestrians, including*
7 *individuals with disabilities; and*

8 *(5) improvement of the Nation's ability to re-*
9 *spond to security-related or other manmade emer-*
10 *gencies and natural disasters and enhancement of na-*
11 *tional defense mobility.*

12 *(b) PURPOSES.—The Secretary shall implement ac-*
13 *tivities under the intelligent system transportation program*
14 *to, at a minimum—*

15 *(1) expedite, in both metropolitan and rural*
16 *areas, deployment and integration of intelligent*
17 *transportation systems for consumers of passenger*
18 *and freight transportation;*

19 *(2) ensure that Federal, State, and local trans-*
20 *portation officials have adequate knowledge of intel-*
21 *ligent transportation systems for full consideration in*
22 *the transportation planning process;*

23 *(3) improve regional cooperation and operations*
24 *planning for effective intelligent transportation sys-*
25 *tem deployment;*

1 (4) *promote the innovative use of private re-*
2 *sources;*

3 (5) *facilitate, in cooperation with the motor vehi-*
4 *cle industry, the introduction of a vehicle-based safety*
5 *enhancing systems;*

6 (6) *support the application of intelligent trans-*
7 *portation systems that increase the safety and effi-*
8 *ciency of commercial motor vehicle operations;*

9 (7) *develop a workforce capable of developing,*
10 *operating, and maintaining intelligent transportation*
11 *systems; and*

12 (8) *provide continuing support for operations*
13 *and maintenance of intelligent transportation sys-*
14 *tems.*

15 **SEC. 5603. GENERAL AUTHORITIES AND REQUIREMENTS.**

16 (a) *SCOPE.*—*Subject to the provisions of this subtitle,*
17 *the Secretary shall conduct an ongoing intelligent transpor-*
18 *tation system program to research, develop, and operation-*
19 *ally test intelligent transportation systems and advance na-*
20 *tionwide deployment of such systems as a component of the*
21 *surface transportation systems of the United States.*

22 (b) *POLICY.*—*Intelligent transportation system re-*
23 *search projects and operational tests funded pursuant to*
24 *this subtitle shall encourage and not displace public-private*

1 *partnerships or private sector investment in such tests and*
2 *projects.*

3 (c) *COOPERATION WITH GOVERNMENTAL, PRIVATE,*
4 *AND EDUCATIONAL ENTITIES.*—*The Secretary shall carry*
5 *out the intelligent transportation system program in co-*
6 *operation with State and local governments and other pub-*
7 *lic entities, the private sector of the United States, the Fed-*
8 *eral laboratories, and colleges and universities, including*
9 *historically Black colleges and universities and other mi-*
10 *nority institutions of higher education.*

11 (d) *CONSULTATION WITH FEDERAL OFFICIALS.*—*In*
12 *carrying out the intelligent transportation system program,*
13 *the Secretary shall consult with the heads of other Federal*
14 *departments and agencies, as appropriate.*

15 (e) *TECHNICAL ASSISTANCE, TRAINING, AND INFORMA-*
16 *TION.*—*The Secretary may provide technical assistance,*
17 *training, and information to State and local governments*
18 *seeking to implement, operate, maintain, or evaluate intel-*
19 *ligent transportation system technologies and services.*

20 (f) *TRANSPORTATION PLANNING.*—*The Secretary may*
21 *provide funding to support adequate consideration of trans-*
22 *portation systems management and operations, including*
23 *intelligent transportation systems, within metropolitan and*
24 *statewide transportation planning processes.*

25 (g) *INFORMATION CLEARINGHOUSE.*—

1 (1) *IN GENERAL.*—*The Secretary shall—*

2 (A) *maintain a repository for technical and*
3 *safety data collected as a result of federally spon-*
4 *sored projects carried out under this subtitle (in-*
5 *cluding the amendments made by this subtitle);*
6 *and*

7 (B) *make, on request, that information (ex-*
8 *cept for proprietary information and data) read-*
9 *ily available to all users of the repository at an*
10 *appropriate cost.*

11 (2) *AGREEMENT.*—

12 (A) *IN GENERAL.*—*The Secretary may enter*
13 *into an agreement with a third party for the*
14 *maintenance of the repository for technical and*
15 *safety data under paragraph (1)(A).*

16 (B) *FEDERAL FINANCIAL ASSISTANCE.*—*If*
17 *the Secretary enters into an agreement with an*
18 *entity for the maintenance of the repository, the*
19 *entity shall be eligible for Federal financial as-*
20 *sistance under this section.*

21 (3) *AVAILABILITY OF INFORMATION.*—*Informa-*
22 *tion in the repository shall not be subject to section*
23 *555 of title 5, United States Code.*

24 (h) *ADVISORY COMMITTEE.*—

1 (1) *IN GENERAL.*—*The Secretary shall establish*
2 *an Advisory Committee to advise the Secretary on*
3 *carrying out this subtitle.*

4 (2) *MEMBERSHIP.*—*The Advisory Committee*
5 *shall have no more than 20 members, be balanced be-*
6 *tween metropolitan and rural interests, and include,*
7 *at a minimum—*

8 (A) *a representative from a State highway*
9 *department;*

10 (B) *a representative from a local highway*
11 *department who is not from a metropolitan*
12 *planning organization;*

13 (C) *a representative from a State, local, or*
14 *regional transit agency;*

15 (D) *a representative from a metropolitan*
16 *planning organization;*

17 (E) *a private sector user of intelligent*
18 *transportation system technologies;*

19 (F) *an academic researcher with expertise*
20 *in computer science or another information*
21 *science field related to intelligent transportation*
22 *systems, and who is not an expert on transpor-*
23 *tation issues;*

24 (G) *an academic researcher who is a civil*
25 *engineer;*

1 (H) an academic researcher who is a social
2 scientist with expertise in transportation issues;

3 (I) a representative from a not-for-profit
4 group representing the intelligent transportation
5 system industry;

6 (J) a representative from a public interest
7 group concerned with safety;

8 (K) a representative from a public interest
9 group concerned with the impact of the transpor-
10 tation system on land use and residential pat-
11 terns; and

12 (L) members with expertise in planning,
13 safety, and operations.

14 (3) DUTIES.—The Advisory Committee shall, at
15 a minimum, perform the following duties:

16 (A) Provide input into the development of
17 the Intelligent Transportation System aspects of
18 the strategic plan under section 508 of title 23,
19 United States Code.

20 (B) Review, at least annually, areas of in-
21 telligent transportation systems research being
22 considered for funding by the Department, to de-
23 termine—

24 (i) whether these activities are likely to
25 advance either the state-of-the-practice or

1 *state-of-the-art in intelligent transportation*
2 *systems;*

3 *(ii) whether the intelligent transpor-*
4 *tation system technologies are likely to be*
5 *deployed by users, and, if not, to determine*
6 *the barriers to deployment; and*

7 *(iii) the appropriate roles for govern-*
8 *ment and the private sector in investing in*
9 *the research and technologies being consid-*
10 *ered.*

11 (4) *REPORT.—Not later than February 1 of each*
12 *year after the date of enactment of this Act, the Sec-*
13 *retary shall transmit to the Congress, a report includ-*
14 *ing—*

15 (A) *all recommendations made by the Advi-*
16 *sory Committee during the preceding calendar*
17 *year;*

18 (B) *an explanation of how the Secretary*
19 *has implemented those recommendations; and*

20 (C) *for recommendations not implemented,*
21 *the reasons for rejecting the recommendations.*

22 (5) *APPLICABILITY OF FEDERAL ADVISORY COM-*
23 *MITTEE ACT.—The Advisory Committee shall be sub-*
24 *ject to the Federal Advisory Committee Act (5 U.S.C.*
25 *App.).*

1 (i) *REPORTING.*—

2 (1) *GUIDELINES AND REQUIREMENTS.*—

3 (A) *IN GENERAL.*—*The Secretary shall issue*
4 *guidelines and requirements for the reporting*
5 *and evaluation of operational tests and deploy-*
6 *ment projects carried out under this subtitle.*

7 (B) *OBJECTIVITY AND INDEPENDENCE.*—

8 *The guidelines and requirements issued under*
9 *subparagraph (A) shall include provisions to en-*
10 *sure the objectivity and independence of the re-*
11 *porting entity so as to avoid any real or appar-*
12 *ent conflict of interest or potential influence on*
13 *the outcome by parties to any such test or de-*
14 *ployment project or by any other formal evalua-*
15 *tion carried out under this subtitle.*

16 (C) *FUNDING.*—*The guidelines and require-*
17 *ments issued under subparagraph (A) shall es-*
18 *tablish reporting funding levels based on the size*
19 *and scope of each test or project that ensure ade-*
20 *quate reporting of the results of the test or*
21 *project.*

22 (2) *SPECIAL RULE.*—*Any survey, questionnaire,*
23 *or interview that the Secretary considers necessary to*
24 *carry out the reporting of any test, deployment*

1 *project, or program assessment activity under this*
2 *subtitle shall not be subject to chapter 35 of title 44.*

3 **SEC. 5604. NATIONAL ARCHITECTURE AND STANDARDS.**

4 *(a) IN GENERAL.—*

5 *(1) DEVELOPMENT, IMPLEMENTATION, AND MAIN-*
6 *TENANCE.—Consistent with section 12(d) of the Na-*
7 *tional Technology Transfer and Advancement Act of*
8 *1995 (15 U.S.C. 272 note; 110 Stat. 783), the Sec-*
9 *retary shall develop, implement, and maintain a na-*
10 *tional architecture and supporting standards and*
11 *protocols to promote the widespread use and evalua-*
12 *tion of intelligent transportation system technology as*
13 *a component of the surface transportation systems of*
14 *the United States.*

15 *(2) INTEROPERABILITY AND EFFICIENCY.—To*
16 *the maximum extent practicable, the national archi-*
17 *ecture shall promote interoperability among, and ef-*
18 *iciency of, intelligent transportation system tech-*
19 *nologies implemented throughout the United States.*

20 *(3) USE OF STANDARDS DEVELOPMENT ORGANI-*
21 *ZATIONS.—In carrying out this section, the Secretary*
22 *shall use the services of such standards development*
23 *organizations as the Secretary determines to be ap-*
24 *propriate.*

25 *(4) USE OF EXPERT PANEL.—*

1 (A) *DESIGNATION.*—*The Secretary shall*
2 *designate a panel of experts to recommend ways*
3 *to expedite and streamline the process for devel-*
4 *oping the standards and protocols to be devel-*
5 *oped pursuant to paragraph (1).*

6 (B) *NONAPPLICABILITY OF ADVISORY COM-*
7 *MITTEE ACT.*—*The expert panel shall not be sub-*
8 *ject to the Federal Advisory Committee Act (5*
9 *U.S.C. App.).*

10 (C) *DEADLINE FOR RECOMMENDATION.*—*No*
11 *later than September 30, 2006, the expert panel*
12 *shall provide the Secretary with a recommenda-*
13 *tion relating to such standards development.*

14 (b) *PROVISIONAL STANDARDS.*—

15 (1) *IN GENERAL.*—*If the Secretary finds that the*
16 *development or balloting of an intelligent transpor-*
17 *tation system standard jeopardizes the timely achieve-*
18 *ment of the objectives identified in subsection (a), the*
19 *Secretary may establish a provisional standard, after*
20 *consultation with affected parties, using, to the extent*
21 *practicable, the work product of appropriate stand-*
22 *ards development organizations.*

23 (2) *PERIOD OF EFFECTIVENESS.*—*A provisional*
24 *standard established under paragraph (1) shall be*
25 *published in the Federal Register and remain in effect*

1 *until the appropriate standards development organi-*
2 *zation adopts and publishes a standard.*

3 (c) *CONFORMITY WITH NATIONAL ARCHITECTURE.—*

4 (1) *IN GENERAL.—Except as provided in para-*
5 *graphs (2) and (3), the Secretary shall ensure that in-*
6 *telligent transportation system projects carried out*
7 *using funds made available from the Highway Trust*
8 *Fund, including funds made available under this sub-*
9 *title to deploy intelligent transportation system tech-*
10 *nologies, conform to the national architecture, appli-*
11 *cable standards or provisional standards, and proto-*
12 *cols developed under subsection (a).*

13 (2) *SECRETARY'S DISCRETION.—The Secretary*
14 *may authorize exceptions to paragraph (1) for—*

15 (A) *projects designed to achieve specific re-*
16 *search objectives outlined in the national intel-*
17 *ligent transportation system program plan or*
18 *the surface transportation research and develop-*
19 *ment strategic plan developed under section 508*
20 *of title 23, United States Code; or*

21 (B) *the upgrade or expansion of an intel-*
22 *ligent transportation system in existence on the*
23 *date of enactment of this Act if the Secretary de-*
24 *termines that the upgrade or expansion—*

1 (i) would not adversely affect the goals
2 or purposes of this subtitle;

3 (ii) is carried out before the end of the
4 useful life of such system; and

5 (iii) is cost-effective as compared to al-
6 ternatives that would meet the conformity
7 requirement of paragraph (1).

8 (3) *EXCEPTIONS.*—Paragraph (1) shall not
9 apply to funds used for operation or maintenance of
10 an intelligent transportation system in existence on
11 the date of enactment of this Act.

12 **SEC. 5605. RESEARCH AND DEVELOPMENT.**

13 (a) *IN GENERAL.*—The Secretary shall carry out a
14 comprehensive program of intelligent transportation system
15 research, development, and operational tests of intelligent
16 vehicles and intelligent infrastructure systems and other
17 similar activities that are necessary to carry out this sub-
18 title.

19 (b) *PRIORITY AREAS.*—Under the program, the Sec-
20 retary shall give higher priority to funding projects that—

21 (1) enhance mobility and productivity through
22 improved traffic management, incident management,
23 transit management, freight management, road
24 weather management, toll collection, traveler informa-

1 *tion, or highway operations systems and remote sens-*
2 *ing products;*

3 *(2) utilize interdisciplinary approaches to de-*
4 *velop traffic management strategies and tools to ad-*
5 *dress multiple impacts of congestion concurrently;*

6 *(3) enhance safety through improved crash*
7 *avoidance and protection, crash and other notifica-*
8 *tion, commercial motor vehicle operations, and infra-*
9 *structure-based or cooperative safety systems; and*

10 *(4) facilitate the integration of intelligent infra-*
11 *structure, vehicle, and control technologies.*

12 *(c) FEDERAL SHARE.—The Federal share of the cost*
13 *of operational tests and demonstrations under subsection*
14 *(a) shall not exceed 80 percent.*

15 **SEC. 5606. INFRASTRUCTURE DEVELOPMENT.**

16 *Funds made available to carry out this subtitle for*
17 *operational tests—*

18 *(1) shall be used primarily for the development*
19 *of intelligent transportation system infrastructure;*
20 *and*

21 *(2) to the maximum extent practicable, shall not*
22 *be used for the construction of physical highway and*
23 *public transportation infrastructure unless the con-*
24 *struction is incidental and critically necessary to the*

1 *implementation of an intelligent transportation sys-*
2 *tem project.*

3 **SEC. 5607. ROAD WEATHER RESEARCH AND DEVELOPMENT**
4 **PROGRAM.**

5 (a) *ESTABLISHMENT.*—*The Secretary shall establish a*
6 *road weather research and development program to—*

7 (1) *maximize use of available road weather in-*
8 *formation and technologies;*

9 (2) *expand road weather research and develop-*
10 *ment efforts to enhance roadway safety, capacity, and*
11 *efficiency while minimizing environmental impacts;*
12 *and*

13 (3) *promote technology transfer of effective road*
14 *weather scientific and technological advances.*

15 (b) *STAKEHOLDER INPUT.*—*In carrying out this sec-*
16 *tion, the Secretary shall consult with the National Oceanic*
17 *and Atmospheric Administration, the National Science*
18 *Foundation, the American Association of State Highway*
19 *and Transportation Officials, nonprofit organizations, and*
20 *the private sector.*

21 (c) *CONTENTS.*—*The program established under this*
22 *section shall solely carry out research and development*
23 *called for in the National Research Council’s report entitled*
24 *“A Research Agenda for Improving Road Weather Serv-*
25 *ices”. Such research and development includes—*

1 (1) *integrating existing observational networks*
2 *and data management systems for road weather ap-*
3 *plications;*

4 (2) *improving weather modeling capabilities and*
5 *forecast tools, such as the road surface and atmos-*
6 *pheric interface;*

7 (3) *enhancing mechanisms for communicating*
8 *road weather information to users, such as transpor-*
9 *tation officials and the public; and*

10 (4) *integrating road weather technologies into an*
11 *information infrastructure.*

12 (d) *ACTIVITIES.—In carrying out this section, the Sec-*
13 *retary shall—*

14 (1) *enable efficient technology transfer;*

15 (2) *improve education and training of road*
16 *weather information users, such as State and local*
17 *transportation officials and private sector transpor-*
18 *tation contractors; and*

19 (3) *coordinate with transportation weather re-*
20 *search programs in other modes, such as aviation.*

21 (e) *FUNDING.—*

22 (1) *IN GENERAL.—In awarding funds under this*
23 *section, the Secretary shall give preference to applica-*
24 *tions with significant matching funds from non-Fed-*
25 *eral sources.*

1 (2) *FUNDS FOR ROAD WEATHER RESEARCH AND*
2 *DEVELOPMENT.*—*Of the amounts made available by*
3 *section 5101(a)(5), \$4,000,000 shall be available to*
4 *carry out this section for each of fiscal years 2004*
5 *through 2009.*

6 **SEC. 5608. DEFINITIONS.**

7 *In this subtitle, the following definitions apply:*

8 (1) *INCIDENT.*—*The term “incident” means a*
9 *crash, a natural disaster, workzone activity, special*
10 *event, or other emergency road user occurrence that*
11 *adversely affects or impedes the normal flow of traffic.*

12 (2) *INTELLIGENT TRANSPORTATION INFRASTRUC-*
13 *TURE.*—*The term “intelligent transportation infra-*
14 *structure” means fully integrated public sector intel-*
15 *ligent transportation system components, as defined*
16 *by the Secretary.*

17 (3) *INTELLIGENT TRANSPORTATION SYSTEM.*—
18 *The term “intelligent transportation system” means*
19 *electronics, communications, or information proc-*
20 *essing used singly or in combination to improve the*
21 *efficiency or safety of a surface transportation system.*

22 (4) *NATIONAL ARCHITECTURE.*—*The term “na-*
23 *tional architecture” means the common framework for*
24 *interoperability that defines—*

1 (A) *the functions associated with intelligent*
2 *transportation system user services;*

3 (B) *the physical entities or subsystems with-*
4 *in which the functions reside;*

5 (C) *the data interfaces and information*
6 *flows between physical subsystems; and*

7 (D) *the communications requirements asso-*
8 *ciated with the information flows.*

9 (5) *PROJECT.—The term “project” means a un-*
10 *dertaking to research, develop, or operationally test*
11 *intelligent transportation systems or any other under-*
12 *taking eligible for assistance under this subtitle.*

13 (6) *STANDARD.—The term “standard” means a*
14 *document that—*

15 (A) *contains technical specifications or*
16 *other precise criteria for intelligent transpor-*
17 *tation systems that are to be used consistently as*
18 *rules, guidelines, or definitions of characteristics*
19 *so as to ensure that materials, products, proc-*
20 *esses, and services are fit for their purposes; and*

21 (B) *may support the national architecture*
22 *and promote—*

23 (i) *the widespread use and adoption of*
24 *intelligent transportation system technology*

1 *as a component of the surface transpor-*
2 *tation systems of the United States; and*

3 *(ii) interoperability among intelligent*
4 *transportation system technologies imple-*
5 *mented throughout the States.*

6 (7) *STATE.*—*The term “State” has the meaning*
7 *given the term under section 101 of title 23, United*
8 *States Code.*

9 (8) *TRANSPORTATION SYSTEMS MANAGEMENT*
10 *AND OPERATIONS.*—*The term “transportation systems*
11 *management and operations” has the meaning given*
12 *the term under section 101(a) of such title.*

13 **SEC. 5609. RURAL INTERSTATE CORRIDOR COMMUNICA-**
14 **TIONS STUDY.**

15 (a) *STUDY.*—*The Secretary, in cooperation with the*
16 *Secretary of Commerce, State departments of transpor-*
17 *tation, and other appropriate State, regional, and local offi-*
18 *cials, shall conduct a study on feasibility of installing fiber*
19 *optic cabling and wireless communication infrastructure*
20 *along multistate Interstate System route corridors for im-*
21 *proved communications services to rural communities along*
22 *such corridors.*

23 (b) *CONTENTS OF STUDY.*—*In conducting the study,*
24 *the Secretary shall identify—*

1 (1) *impediments to installation of the infrastruc-*
2 *ture described in subsection (a) along multistate*
3 *Interstate System route corridors and to connecting*
4 *such infrastructure to the rural communities along*
5 *such corridors;*

6 (2) *the effective geographic range of such infra-*
7 *structure;*

8 (3) *potential opportunities for the private sector*
9 *to fund, wholly or partially, the installation of such*
10 *infrastructure;*

11 (4) *potential benefits fiber optic cabling and*
12 *wireless communication infrastructure may provide*
13 *to rural communities along such corridors, including*
14 *the effects of the installation of such infrastructure on*
15 *economic development, deployment of intelligent*
16 *transportation systems technologies and applications,*
17 *homeland security precaution and response, and edu-*
18 *cation and health systems in those communities;*

19 (5) *rural broadband access points for such infra-*
20 *structure;*

21 (6) *areas of environmental conflict with such in-*
22 *stallation;*

23 (7) *real estate ownership issues relating to such*
24 *installation;*

1 (8) *preliminary design for placement of fiber*
2 *optic cable and wireless towers;*

3 (9) *monetary value of the rights-of-way necessary*
4 *for such installation;*

5 (10) *applicability and transferability of the ben-*
6 *efits of such installation to other rural corridors; and*

7 (11) *safety and other operational issues associ-*
8 *ated with the installation and maintenance of fiber*
9 *optic cabling and wire infrastructure within Inter-*
10 *state System rights-of-way and other publicly owned*
11 *rights-of-way.*

12 (c) *CORRIDOR LOCATIONS.*—*The study required under*
13 *subsection (a) shall be conducted for corridors along—*

14 (1) *Interstate Route I–90 through rural Wis-*
15 *consin, southern Minnesota, northern Iowa, and*
16 *South Dakota;*

17 (2) *Interstate Route I–20 through Alabama, Mis-*
18 *issippi, and northern Louisiana;*

19 (3) *Interstate Route I–91 through Vermont, New*
20 *Hampshire, and Massachusetts; and*

21 (4) *any other rural corridor the Secretary con-*
22 *siders appropriate.*

23 (d) *FEDERAL SHARE.*—*The Federal share of the cost*
24 *of the study shall be 100 percent.*

1 *and delivering environmentally sound surface trans-*
2 *portation projects.*

3 (2) *RURAL SAFETY.—To provide research, train-*
4 *ing, and outreach on innovative uses of technology to*
5 *enhance rural safety and economic development, as-*
6 *sess local community needs to improve access to mo-*
7 *bile emergency treatment, and develop online and*
8 *seminar training needs of rural transportation prac-*
9 *titioners and policy-makers.*

10 (3) *PROJECT FINANCE.—To provide support to*
11 *State transportation departments in the development*
12 *of finance plans and project oversight tools and to de-*
13 *velop and offer training in state of the art financing*
14 *methods to advance projects and leverage funds.*

15 (d) *AUTHORIZATION OF APPROPRIATIONS.—*

16 (1) *IN GENERAL.—Of the amounts made avail-*
17 *able under section 5101(a)(1), the Secretary shall*
18 *make available \$2,000,000 for each of fiscal years*
19 *2004 through 2009 to carry out this section.*

20 (2) *ALLOCATION OF FUNDS.—Of the funds made*
21 *available under paragraph (1) the Secretary shall use*
22 *such amounts as follows:*

23 (A) *40 percent to establish the Center for*
24 *Environmental Excellence.*

1 (B) 30 percent to establish the Center for
2 *Excellence in Rural Safety.*

3 (C) 30 percent to establish the Center for
4 *Excellence in Project Finance.*

5 (3) *APPLICABILITY OF TITLE 23.*—Funds author-
6 ized by this section shall be available for obligation in
7 the same manner as if such funds were apportioned
8 under chapter 1 of title 23, United States Code, except
9 that the Federal share shall be 100 percent.

10 (e) *PROGRAM ADMINISTRATION.*—

11 (1) *COMPETITION.*—A party entering into a con-
12 tract, cooperative agreement, or other transaction
13 with the Secretary, or receiving a grant to perform
14 research or provide technical assistance under this
15 section shall be selected on a competitive basis, to the
16 maximum extent practicable.

17 (2) *STRATEGIC PLAN.*—The Secretary shall re-
18 quire each center to develop a multiyear strategic
19 plan that describes—

20 (A) the activities to be undertaken; and

21 (B) how the work of the center is coordi-
22 nated with the activities of the Federal Highway
23 Administration and the various other research,
24 development, and technology transfer activities
25 authorized by this title. Such plans shall be sub-

1 *mitted to the Secretary by January 1, 2006, and*
2 *each year thereafter.*

3 **SEC. 5611. REPEAL.**

4 *Subtitle C of title V of The Transportation Equity Act*
5 *for the 21st Century (23 U.S.C. 502 note; 112 Stat. 452–*
6 *463) is repealed.*

7 **SEC. 5612. SPECIAL RULE FOR FISCAL YEAR 2004.**

8 *In any case in which an amount is authorized to be*
9 *appropriated, made available, allocated, set aside, taken*
10 *down, or subject to an obligation limitation for fiscal year*
11 *2004 for a program, project, or activity in any provision*
12 *of this title, including an amendment made by this title,*
13 *that is different than the amount authorized to be appro-*
14 *priated, made available, allocated, set aside, taken down,*
15 *or subject to an obligation limitation for fiscal year 2004*
16 *for such program, project, or activity in any provision of*
17 *the Surface Transportation Extension Act of 2004, Part V*
18 *(Public Law 108–310), including any amendment made by*
19 *such Act, the amount referred to in such Act shall be the*
20 *amount authorized to be appropriated, made available, al-*
21 *located, set aside, taken down, or subject to an obligation*
22 *limitation.*

1 **TITLE VI—TRANSPORTATION**
 2 **PLANNING AND PROJECT DE-**
 3 **LIVERY**

4 **SEC. 6001. TRANSPORTATION PLANNING.**

5 (a) *IN GENERAL.*—Subtitle III of title 49, United
 6 States Code, is amended by inserting after chapter 51 the
 7 following:

8 **“CHAPTER 52—TRANSPORTATION**
 9 **PLANNING AND PROJECT DELIVERY**

“SUBCHAPTER A—GENERAL PROVISIONS

“Sec.

“5201. Definitions.

“SUBCHAPTER B—TRANSPORTATION PLANNING AND PROJECT DELIVERY

“5211. Policy.

“5212. Definitions.

“5213. Metropolitan transportation planning.

“5214. Statewide transportation planning.

“SUBCHAPTER C—EFFICIENT ENVIRONMENTAL REVIEWS FOR PROJECT
 DECISIONMAKING

“5251. Definitions and applicability.

“5252. Project development procedures.

10 **“SUBCHAPTER A—GENERAL PROVISIONS**

11 **“§ 5201. Definitions**

12 *“In this chapter, the following definitions apply:*

13 *“(1) SECRETARY.—The term ‘Secretary’ means*
 14 *the Secretary of Transportation.*

15 *“(2) STATE.—The term ‘State’ means a State of*
 16 *the United States, the District of Columbia, and*
 17 *Puerto Rico.*

1 “SUBCHAPTER B—TRANSPORTATION PLANNING
2 AND PROJECT DELIVERY

3 “§ 5211. **Policy**

4 “(a) *IN GENERAL.*—*It is in the national interest to—*

5 “(1) *encourage and promote the safe and effi-*
6 *cient management, operation, and development of sur-*
7 *face transportation systems that will serve the mobil-*
8 *ity needs of people and freight and foster economic*
9 *growth and development within and between States*
10 *and urbanized areas, while minimizing transpor-*
11 *tation-related fuel consumption and air pollution*
12 *through metropolitan and statewide transportation*
13 *planning processes identified in this chapter; and*

14 “(2) *encourage the continued improvement and*
15 *evolution of the metropolitan and statewide transpor-*
16 *tation planning processes by metropolitan planning*
17 *organizations, State departments of transportation,*
18 *and public transit operators as guided by the plan-*
19 *ning factors identified in sections 5213(f) and*
20 *5214(d).*

21 “(b) *COMMON TRANSPORTATION PLANNING PRO-*
22 *GRAM.*—*This subchapter provides a common transportation*
23 *planning program to be administered by the Federal High-*
24 *way Administration and the Federal Transit Administra-*
25 *tion.*

1 **“§ 5212. Definitions**

2 “(a) *APPLICABILITY BY REFERENCE.*—Unless other-
3 wise specified in subsection (b), the definitions in section
4 101(a) of title 23 and section 5302 are applicable to this
5 subchapter.

6 “(b) *ADDITIONAL DEFINITIONS.*—In this subchapter,
7 the following definitions apply:

8 “(1) *METROPOLITAN PLANNING AREA.*—The term
9 ‘metropolitan planning area’ means the geographic
10 area determined by agreement between the metropoli-
11 tan planning organization for the area and the Gov-
12 ernor under section 5213(c).

13 “(2) *METROPOLITAN PLANNING ORGANIZA-*
14 *TION.*—The term ‘metropolitan planning organiza-
15 tion’ means the policy board of an organization cre-
16 ated as a result of the designation process in section
17 5213(b).

18 “(3) *NONMETROPOLITAN AREA.*—The term ‘non-
19 metropolitan area’ means a geographic area outside
20 designated metropolitan planning areas.

21 “(4) *NONMETROPOLITAN LOCAL OFFICIAL.*—The
22 term ‘nonmetropolitan local official’ means elected
23 and appointed officials of general purpose local gov-
24 ernment in a nonmetropolitan area with responsi-
25 bility for transportation.

1 “(5) *TIP*.—The term ‘*TIP*’ means a transpor-
2 *tation improvement program developed by a metro-*
3 *politan planning organization under section 5213.*

4 “(6) *URBANIZED AREA*.—The term ‘urbanized
5 *area*’ means a geographic area with a population of
6 50,000 or more, as designated by the Bureau of the
7 *Census.*

8 **“§ 5213. Metropolitan transportation planning**

9 “(a) *GENERAL REQUIREMENTS*.—

10 “(1) *DEVELOPMENT OF LONG-RANGE PLANS AND*
11 *TIPS*.—To accomplish the objectives in section 5211,
12 *metropolitan planning organizations designated*
13 *under subsection (b), in cooperation with the State*
14 *and public transportation operators, shall develop*
15 *long-range transportation plans and transportation*
16 *improvement programs for metropolitan planning*
17 *areas of the State.*

18 “(2) *CONTENTS*.—The plans and *TIPs* for each
19 *metropolitan area shall provide for the development*
20 *and integrated management and operation of trans-*
21 *portation systems and facilities (including accessible*
22 *pedestrian walkways and bicycle transportation fa-*
23 *cilities) that will function as an intermodal transpor-*
24 *tation system for the metropolitan planning area and*

1 *as an integral part of an intermodal transportation*
2 *system for the State and the United States.*

3 “(3) *PROCESS OF DEVELOPMENT.*—*The process*
4 *for developing the plans and TIPs shall provide for*
5 *consideration of all modes of transportation and shall*
6 *be continuing, cooperative, and comprehensive to the*
7 *degree appropriate, based on the complexity of the*
8 *transportation problems to be addressed.*

9 “(b) *DESIGNATION OF METROPOLITAN PLANNING OR-*
10 *GANIZATIONS.*—

11 “(1) *IN GENERAL.*—*To carry out the transpor-*
12 *tation planning process required by this section, a*
13 *metropolitan planning organization shall be des-*
14 *ignated for each urbanized area with a population of*
15 *more than 50,000 individuals—*

16 “(A) *by agreement between the Governor*
17 *and units of general purpose local government*
18 *that together represent at least 75 percent of the*
19 *affected population (including the largest incor-*
20 *porated city (based on population) as named by*
21 *the Bureau of the Census); or*

22 “(B) *in accordance with procedures estab-*
23 *lished by applicable State or local law.*

24 “(2) *STRUCTURE.*—*Each metropolitan planning*
25 *organization that serves an area designated as a*

1 *transportation management area, when designated or*
2 *redesignated under this subsection, shall consist of—*

3 “(A) *local elected officials;*

4 “(B) *officials of public agencies that admin-*
5 *ister or operate major modes of transportation in*
6 *the metropolitan area; and*

7 “(C) *appropriate State officials.*

8 “(3) *LIMITATION ON STATUTORY CONSTRUC-*
9 *TION.—Nothing in this subsection shall be construed*
10 *to interfere with the authority, under any State law*
11 *in effect on December 18, 1991, of a public agency*
12 *with multimodal transportation responsibilities to—*

13 “(A) *develop the plans and TIPs for adop-*
14 *tion by a metropolitan planning organization;*
15 *and*

16 “(B) *develop long-range capital plans, co-*
17 *ordinate transit services and projects, and carry*
18 *out other activities pursuant to State law.*

19 “(4) *CONTINUING DESIGNATION.—A designation*
20 *of a metropolitan planning organization under this*
21 *subsection or any other provision of law shall remain*
22 *in effect until the metropolitan planning organization*
23 *is redesignated under paragraph (5).*

24 “(5) *REDESIGNATION PROCEDURES.—A metro-*
25 *politan planning organization may be redesignated*

1 *by agreement between the Governor and units of gen-*
2 *eral purpose local government that together represent*
3 *at least 75 percent of the existing planning area pop-*
4 *ulation (including the largest incorporated city (based*
5 *on population) as named by the Bureau of the Cen-*
6 *sus) as appropriate to carry out this section.*

7 “(6) *DESIGNATION OF MORE THAN 1 METROPOLI-*
8 *TAN PLANNING ORGANIZATION.*—*More than 1 metro-*
9 *politan planning organization may be designated*
10 *within an existing metropolitan planning area only*
11 *if the Governor and the existing metropolitan plan-*
12 *ning organization determine that the size and com-*
13 *plexity of the existing metropolitan planning area*
14 *make designation of more than 1 metropolitan plan-*
15 *ning organization for the area appropriate.*

16 “(c) *METROPOLITAN PLANNING AREA BOUNDARIES.*—

17 “(1) *IN GENERAL.*—*For the purposes of this sec-*
18 *tion, the boundaries of a metropolitan planning area*
19 *shall be determined by agreement between the metro-*
20 *politan planning organization and the Governor.*

21 “(2) *INCLUDED AREA.*—*Each metropolitan plan-*
22 *ning area—*

23 “(A) *shall encompass at least the existing*
24 *urbanized area and the contiguous area expected*

1 to become urbanized within a 20-year forecast
2 period for the transportation plan; and

3 “(B) may encompass the entire metropoli-
4 tan statistical area or consolidated metropolitan
5 statistical area, as defined by the Bureau of the
6 Census.

7 “(3) *IDENTIFICATION OF NEW URBANIZED AREAS*
8 *WITHIN EXISTING PLANNING AREA BOUNDARIES.*—The
9 designation by the Bureau of the Census of new ur-
10 banized areas within an existing metropolitan plan-
11 ning area shall not require the redesignation of the
12 existing metropolitan planning organization.

13 “(4) *EXISTING METROPOLITAN PLANNING AREAS*
14 *IN NONATTAINMENT.*—Notwithstanding paragraph
15 (2), in the case of an urbanized area designated as a
16 nonattainment area for ozone or carbon monoxide
17 under the Clean Air Act (42 U.S.C. 7401 et seq.) as
18 of the date of enactment of this paragraph, the bound-
19 aries of the metropolitan planning area in existence
20 as of such date of enactment shall be retained; except
21 that the boundaries may be adjusted by agreement of
22 the Governor and affected metropolitan planning or-
23 ganizations in the manner described in subsection
24 (b)(5).

1 “(5) *NEW METROPOLITAN PLANNING AREAS IN*
2 *NONATTAINMENT.*—*In the case of an urbanized area*
3 *designated after the date of enactment of this para-*
4 *graph as a nonattainment area for ozone or carbon*
5 *monoxide, the boundaries of the metropolitan plan-*
6 *ning area—*

7 “(A) *shall be established in the manner de-*
8 *scribed in subsection (b)(1);*

9 “(B) *shall encompass the areas described in*
10 *paragraph (2)(A);*

11 “(C) *may encompass the areas described in*
12 *paragraph (2)(B); and*

13 “(D) *may address any nonattainment area*
14 *identified under the Clean Air Act for ozone or*
15 *carbon monoxide.*

16 “(d) *COORDINATION IN MULTISTATE AREAS.*—

17 “(1) *IN GENERAL.*—*The Secretary shall encour-*
18 *age each Governor with responsibility for a portion of*
19 *a multistate metropolitan area and the appropriate*
20 *metropolitan planning organizations to provide co-*
21 *ordinated transportation planning for the entire met-*
22 *ropolitan area.*

23 “(e) *MPO CONSULTATION IN PLAN AND TIP COORDI-*
24 *NATION.*—

1 “(1) *NONATTAINMENT AREAS.*—If more than 1
2 *metropolitan planning organization has authority*
3 *within a metropolitan area or an area which is des-*
4 *ignated as a nonattainment area for ozone or carbon*
5 *monoxide under the Clean Air Act, each metropolitan*
6 *planning organization shall consult with the other*
7 *metropolitan planning organizations designated for*
8 *such area and the State in the coordination of plans*
9 *and TIPs required by this section.*

10 “(2) *TRANSPORTATION IMPROVEMENTS LOCATED*
11 *IN MULTIPLE MPOS.*—If a transportation improve-
12 *ment funded from the Highway Trust Fund or au-*
13 *thorized under chapter 53 is located within the*
14 *boundaries of more than 1 metropolitan planning*
15 *area, the metropolitan planning organizations shall*
16 *coordinate plans and TIPs regarding the transpor-*
17 *tation improvement.*

18 “(3) *RELATIONSHIP WITH OTHER PLANNING OF-*
19 *FICIALS.*—The Secretary shall encourage each metro-
20 *politan planning organization to consult with those*
21 *officials responsible for other types of planning activi-*
22 *ties that are affected by transportation in the area*
23 *(including State and local planned growth, economic*
24 *development, environmental protection, airport oper-*
25 *ations, and freight movements) or to coordinate its*

1 *planning process, to the maximum extent practicable,*
2 *with such planning activities. Under the metropolitan*
3 *planning process, transportation plans and TIPs*
4 *shall be developed with due consideration of other re-*
5 *lated planning activities within the metropolitan*
6 *area, and the process shall provide for the design and*
7 *delivery of transportation services within the metro-*
8 *politan area that are provided by—*

9 *“(A) recipients of assistance under chapter*
10 *53;*

11 *“(B) governmental agencies and nonprofit*
12 *organizations (including representatives of the*
13 *agencies and organizations) that receive Federal*
14 *assistance from a source other than the Depart-*
15 *ment of Transportation to provide nonemergency*
16 *transportation services; and*

17 *“(C) recipients of assistance under section*
18 *204 of title 23.*

19 *“(f) SCOPE OF PLANNING PROCESS.—*

20 *“(1) IN GENERAL.—The goals and objectives de-*
21 *veloped through the metropolitan planning process for*
22 *a metropolitan planning area under this section shall*
23 *address the following factors as they relate to the per-*
24 *formance of the metropolitan area transportation sys-*
25 *tems:*

1 “(A) *Support of the economic vitality of the*
2 *metropolitan area, especially by enabling global*
3 *competitiveness, productivity, and efficiency.*

4 “(B) *Increases in the safety and security of*
5 *the transportation system for motorized and non-*
6 *motorized users.*

7 “(C) *Increases in the accessibility and mo-*
8 *bility of people and for freight.*

9 “(D) *Protection and enhancement of the en-*
10 *vironment, promotion of energy conservation,*
11 *improvement of the quality of life, and pro-*
12 *motion of consistency between transportation im-*
13 *provements and State and local planned growth*
14 *and economic development patterns.*

15 “(E) *Enhancement of the integration and*
16 *connectivity of the transportation system, across*
17 *and between modes, for people and freight.*

18 “(F) *Promotion of efficient system manage-*
19 *ment and operation.*

20 “(G) *Emphasis on the preservation of the*
21 *existing transportation system.*

22 “(2) *FAILURE TO CONSIDER FACTORS.—The fail-*
23 *ure to consider any factor specified in paragraph (1)*
24 *shall not be reviewable by any court under title 23 or*
25 *this title, subchapter II of chapter 5 of title 5, or*

1 *chapter 7 of title 5 in any matter affecting a trans-*
2 *portation plan, a TIP, a project or strategy, or the*
3 *certification of a planning process.*

4 *“(g) DEVELOPMENT OF TRANSPORTATION PLAN.—*

5 *“(2) TRANSPORTATION PLAN.—A transportation*
6 *plan under this section shall be in a form that the*
7 *Secretary determines to be appropriate and shall con-*
8 *tain, at a minimum, the following:*

9 *“(A) An identification of transportation fa-*
10 *ilities (including major roadways, transit,*
11 *multimodal and intermodal facilities, and inter-*
12 *modal connectors) that should function as an in-*
13 *tegrated metropolitan transportation system, giv-*
14 *ing emphasis to those facilities that serve impor-*
15 *tant national and regional transportation func-*
16 *tions. In formulating the transportation plan,*
17 *the metropolitan planning organization shall*
18 *consider factors described in subsection (f) as*
19 *such factors relate to a 20-year forecast period.*

20 *“(B) A financial plan that demonstrates*
21 *how the adopted transportation plan can be im-*
22 *plemented, indicates resources from public and*
23 *private sources that are reasonably expected to be*
24 *made available to carry out the plan, and rec-*
25 *ommends any additional financing strategies for*

1 *needed projects and programs. The financial*
2 *plan may include, for illustrative purposes, ad-*
3 *ditional projects that would be included in the*
4 *adopted transportation plan if reasonable addi-*
5 *tional resources beyond those identified in the fi-*
6 *nancial plan were available. For the purpose of*
7 *developing the transportation plan, the metro-*
8 *politan planning organization, transit operator,*
9 *and State shall cooperatively develop estimates of*
10 *funds that will be available to support plan im-*
11 *plementation.*

12 *“(C) Operational and management strate-*
13 *gies to improve the performance of existing*
14 *transportation facilities to relieve vehicular con-*
15 *gestion and maximize the safety and mobility of*
16 *people and goods.*

17 *“(D) Capital investment and other strate-*
18 *gies to preserve the existing and projected future*
19 *metropolitan transportation infrastructure and*
20 *provide for multimodal capacity increases based*
21 *on regional priorities and needs.*

22 *“(E) Proposed transportation and transit*
23 *enhancement activities.*

24 *“(3) COORDINATION WITH CLEAN AIR ACT AGEN-*
25 *CIES.—In metropolitan areas which are in nonattain-*

1 *ment for ozone or carbon monoxide under the Clean*
2 *Air Act, the metropolitan planning organization shall*
3 *coordinate the development of a transportation plan*
4 *with the process for development of the transportation*
5 *control measures of the State implementation plan re-*
6 *quired by the Clean Air Act.*

7 *“(4) PARTICIPATION BY INTERESTED PARTIES.—*
8 *Before approving a transportation plan, each metro-*
9 *politan planning organization shall provide citizens,*
10 *affected public agencies, representatives of public*
11 *transportation employees, freight shippers, providers*
12 *of freight transportation services, private providers of*
13 *transportation, representatives of users of public*
14 *transportation, representatives of users of pedestrian*
15 *walkways and bicycle transportation facilities, rep-*
16 *resentatives of the disabled, and other interested par-*
17 *ties with a reasonable opportunity to comment on the*
18 *transportation plan, in a manner that the Secretary*
19 *deems appropriate.*

20 *“(5) PUBLICATION.—A transportation plan in-*
21 *volving Federal participation shall be published or*
22 *otherwise made readily available by the metropolitan*
23 *planning organization for public review and sub-*
24 *mitted for information purposes to the Governor at*

1 *such times and in such manner as the Secretary shall*
2 *establish.*

3 “(6) *SELECTION OF PROJECTS FROM ILLU-*
4 *STRATIVE LIST.—Notwithstanding paragraph (2)(B), a*
5 *State or metropolitan planning organization shall not*
6 *be required to select any project from the illustrative*
7 *list of additional projects included in the financial*
8 *plan under paragraph (2)(B).*

9 “(h) *METROPOLITAN TIP.—*

10 “(1) *DEVELOPMENT.—*

11 “(A) *IN GENERAL.—In cooperation with the*
12 *State and any affected public transportation op-*
13 *erator, the metropolitan planning organization*
14 *designated for a metropolitan area shall develop*
15 *a TIP for the area for which the organization is*
16 *designated.*

17 “(B) *OPPORTUNITY FOR COMMENT.—In de-*
18 *veloping the TIP, the metropolitan planning or-*
19 *ganization, in cooperation with the State and*
20 *any affected public transportation operator, shall*
21 *provide citizens, affected public agencies, rep-*
22 *resentatives of public transportation employees,*
23 *freight shippers, providers of freight transpor-*
24 *tation services, private providers of transpor-*
25 *tation, representatives of users of public trans-*

1 *portation, representatives of the disabled, rep-*
2 *resentatives of users of pedestrian walkways and*
3 *bicycle facilities, and other interested parties*
4 *with a reasonable opportunity to comment on the*
5 *proposed TIP.*

6 “(C) *FUNDING ESTIMATES.*—*For the pur-*
7 *pose of developing the TIP, the metropolitan*
8 *planning organization, public transportation*
9 *agency, and State shall cooperatively develop es-*
10 *timates of funds that are reasonably expected to*
11 *be available to support program implementation.*

12 “(D) *UPDATING AND APPROVAL.*—*The TIP*
13 *shall be updated at least once every 4 years and*
14 *shall be approved by the metropolitan planning*
15 *organization and the Governor.*

16 “(2) *CONTENTS.*—

17 “(A) *PRIORITY LIST.*—*The TIP shall in-*
18 *clude a priority list of proposed federally sup-*
19 *ported projects and strategies to be carried out*
20 *within each 4-year period after the initial adop-*
21 *tion of the TIP.*

22 “(B) *FINANCIAL PLAN.*—*The TIP shall in-*
23 *clude a financial plan that—*

24 “(i) *demonstrates how the TIP can be*
25 *implemented;*

1 “(ii) indicates resources from public
2 and private sources that are reasonably ex-
3 pected to be available to carry out the pro-
4 gram;

5 “(iii) identifies innovative financing
6 techniques to finance projects, programs,
7 and strategies; and

8 “(iv) may include, for illustrative pur-
9 poses, additional projects that would be in-
10 cluded in the approved TIP if reasonable
11 additional resources beyond those identified
12 in the financial plan were available.

13 “(C) DESCRIPTIONS.—Each project in the
14 TIP shall include sufficient descriptive material
15 (such as type of work, termini, length, and other
16 similar factors) to identify the project or phase
17 of the project.

18 “(D) CONGESTION RELIEF ACTIVITIES.—
19 The TIP shall include a listing of congestion re-
20 lief activities to be carried out to meet the re-
21 quirements of section 139 of title 23, categorized
22 as either under one or under three congestion re-
23 lief activities.

24 “(3) INCLUDED PROJECTS.—

1 “(A) *PROJECTS UNDER TITLE 23 AND CHAP-*
2 *TER 53.—A TIP developed under this subsection*
3 *for a metropolitan area shall include the projects*
4 *within the area that are proposed for funding*
5 *under chapter 1 of title 23 and chapter 53.*

6 “(B) *PROJECTS UNDER CHAPTER 2 OF*
7 *TITLE 23.—All projects proposed for funding*
8 *under chapter 2 of title 23 shall be identified in-*
9 *dividually in the TIP.*

10 “(C) *CONSISTENCY WITH LONG-RANGE*
11 *TRANSPORTATION PLAN.—Each project shall be*
12 *consistent with the long-range transportation*
13 *plan developed under subsection (g) for the area.*

14 “(D) *REQUIREMENT OF ANTICIPATED FULL*
15 *FUNDING.—The program shall include a project,*
16 *or an identified phase of a project, only if full*
17 *funding can reasonably be anticipated to be*
18 *available for the project within the time period*
19 *contemplated for completion of the project.*

20 “(4) *NOTICE AND COMMENT.—Before approving*
21 *a TIP, a metropolitan planning organization, in co-*
22 *operation with the State and any affected public*
23 *transportation operator, shall provide citizens, af-*
24 *fectured public agencies, representatives of public trans-*
25 *portation employees, freight shippers, providers of*

1 *freight transportation services, private providers of*
2 *transportation, representatives of users of public*
3 *transportation, representatives of the disabled, rep-*
4 *resentatives of users of pedestrian walkways and bicy-*
5 *cle facilities, and other interested parties with reason-*
6 *able notice of and an opportunity to comment on the*
7 *proposed program.*

8 “(5) *SELECTION OF PROJECTS.*—

9 “(A) *IN GENERAL.*—*Except as otherwise*
10 *provided in subsection (i)(4) and in addition to*
11 *the TIP development required under paragraph*
12 *(1), the selection of federally funded projects in*
13 *metropolitan areas shall be carried out, from the*
14 *approved TIP—*

15 “(i) *by—*

16 “(I) *in the case of projects under*
17 *title 23, the State; and*

18 “(II) *in the case of projects under*
19 *chapter 53, the designated recipients of*
20 *public transportation funding; and*

21 “(ii) *in cooperation with the metro-*
22 *politan planning organization.*

23 “(B) *MODIFICATIONS TO PROJECT PRI-*
24 *ORITY.*—*Notwithstanding any other provision of*
25 *law, action by the Secretary shall not be required*

1 to advance a project included in the approved
2 TIP in place of another project in the program.

3 “(6) SELECTION OF PROJECTS FROM ILLU-
4 TRATIVE LIST.—

5 “(A) NO REQUIRED SELECTION.—Notwith-
6 standing paragraph (2)(B)(iv), a State or metro-
7 politan planning organization shall not be re-
8 quired to select any project from the illustrative
9 list of additional projects included in the finan-
10 cial plan under paragraph (2)(B)(iv).

11 “(B) REQUIRED ACTION BY THE SEC-
12 RETARY.—Action by the Secretary shall be re-
13 quired for a State or metropolitan planning or-
14 ganization to select any project from the illus-
15 trative list of additional projects included in the
16 financial plan under paragraph (2)(B)(iv) for
17 inclusion in an approved TIP.

18 “(7) PUBLICATION.—

19 “(A) PUBLICATION OF TIPS.—A TIP involv-
20 ing Federal participation shall be published or
21 otherwise made readily available by the metro-
22 politan planning organization for public review.

23 “(B) PUBLICATION OF ANNUAL LISTINGS OF
24 PROJECTS.—An annual listing of projects for
25 which Federal funds have been obligated in the

1 *preceding year shall be published or otherwise*
2 *made available by the metropolitan planning or-*
3 *ganization for public review. The listing shall be*
4 *consistent with the categories identified in the*
5 *TIP.*

6 “(i) *TRANSPORTATION MANAGEMENT AREAS.—*

7 “(1) *IDENTIFICATION AND DESIGNATION.—*

8 “(A) *REQUIRED IDENTIFICATION.—The Sec-*
9 *retary shall identify as a transportation man-*
10 *agement area each urbanized area (as defined by*
11 *the Bureau of the Census) with a population of*
12 *over 200,000 individuals.*

13 “(B) *DESIGNATIONS ON REQUEST.—The*
14 *Secretary shall designate any additional area as*
15 *a transportation management area on the re-*
16 *quest of the Governor and the metropolitan plan-*
17 *ning organization designated for the area.*

18 “(2) *TRANSPORTATION PLANS.—In a metropoli-*
19 *tan planning area serving a transportation manage-*
20 *ment area, transportation plans shall be based on a*
21 *continuing and comprehensive transportation plan-*
22 *ning process carried out by the metropolitan plan-*
23 *ning organization in cooperation with the State and*
24 *public transportation operators.*

1 “(3) *CONGESTION MANAGEMENT PROCESS.*—

2 *Within a metropolitan planning area serving a trans-*
3 *portation management area, the transportation plan-*
4 *ning process under this section shall address conges-*
5 *tion management through a process that provides for*
6 *effective management and operation, based on a coop-*
7 *eratively developed and implemented metropolitan-*
8 *wide strategy, of new and existing transportation fa-*
9 *ilities eligible for funding under title 23 and chapter*
10 *53 through the use of travel demand reduction and*
11 *operational management strategies and shall identify*
12 *a sufficient number of congestion relief activities*
13 *under section 139 of title 23 to meet the requirements*
14 *of such section. The Secretary shall establish an ap-*
15 *propriate phase-in schedule for compliance with the*
16 *requirements of this section but no sooner than one*
17 *year after the identification of a transportation man-*
18 *agement area.*

19 “(4) *SELECTION OF PROJECTS.*—

20 “(A) *IN GENERAL.*—*All federally funded*
21 *projects carried out within the boundaries of a*
22 *metropolitan planning area serving a transpor-*
23 *tation management area under title 23 (exclud-*
24 *ing projects carried out on the National High-*
25 *way System and projects carried out under the*

1 *bridge program or the Interstate maintenance*
2 *program) or under chapter 53 shall be selected*
3 *for implementation from the approved TIP by*
4 *the metropolitan planning organization des-*
5 *ignated for the area in consultation with the*
6 *State and any affected public transportation op-*
7 *erator.*

8 “(B) NATIONAL HIGHWAY SYSTEM
9 PROJECTS.—*Projects, carried out within the*
10 *boundaries of a metropolitan planning area serv-*
11 *ing a transportation management area, on the*
12 *National Highway System and projects carried*
13 *out within such boundaries under the bridge pro-*
14 *gram or the Interstate maintenance program*
15 *under title 23 shall be selected for implementa-*
16 *tion from the approved TIP by the State in co-*
17 *operation with the metropolitan planning orga-*
18 *nization designated for the area.*

19 “(5) CERTIFICATION.—

20 “(A) IN GENERAL.—*The Secretary shall—*

21 “(i) *ensure that the metropolitan plan-*
22 *ning process of a metropolitan planning or-*
23 *ganization serving a transportation man-*
24 *agement area is being carried out in ac-*

1 cordance with applicable provisions of Fed-
2 eral law; and

3 “(ii) subject to subparagraph (B), cer-
4 tify, not less often than once every 4 years,
5 that the requirements of this paragraph are
6 met with respect to the metropolitan plan-
7 ning process.

8 “(B) REQUIREMENTS FOR CERTIFI-
9 CATION.—The Secretary may make the certifi-
10 cation under subparagraph (A) if—

11 “(i) the transportation planning proc-
12 ess complies with the requirements of this
13 section and other applicable requirements of
14 Federal law; and

15 “(ii) there is a TIP for the metropoli-
16 tan planning area that has been approved
17 by the metropolitan planning organization
18 and the Governor.

19 “(C) EFFECT OF FAILURE TO CERTIFY.—

20 “(i) WITHHOLDING OF PROJECT
21 FUNDS.—If a metropolitan planning proc-
22 ess of a metropolitan planning organization
23 serving a transportation management area
24 is not certified, the Secretary may withhold
25 up to 20 percent of the funds attributable to

1 *the metropolitan planning area of the met-*
2 *ropolitan planning organization for projects*
3 *funded under title 23 and chapter 53.*

4 “(i) *RESTORATION OF WITHHELD*
5 *FUNDS.—The withheld funds shall be re-*
6 *stored to the metropolitan planning area at*
7 *such time as the metropolitan planning*
8 *process is certified by the Secretary.*

9 “(D) *REVIEW OF CERTIFICATION.—In mak-*
10 *ing certification determinations under this para-*
11 *graph, the Secretary shall provide for public in-*
12 *volvement appropriate to the metropolitan area*
13 *under review.*

14 “(j) *ABBREVIATED PLANS FOR CERTAIN AREAS.—*

15 “(1) *IN GENERAL.—Subject to paragraph (2), in*
16 *the case of a metropolitan area not designated as a*
17 *transportation management area under this section,*
18 *the Secretary may provide for the development of an*
19 *abbreviated transportation plan and TIP for the met-*
20 *ropolitan planning area that the Secretary deter-*
21 *mines is appropriate to achieve the purposes of this*
22 *section, taking into account the complexity of trans-*
23 *portation problems in the area.*

24 “(2) *NONATTAINMENT AREAS.—The Secretary*
25 *may not permit abbreviated plans or TIPs for a met-*

1 *ropolitan area that is in nonattainment for ozone or*
2 *carbon monoxide under the Clean Air Act (42 U.S.C.*
3 *7401 et seq.).*

4 *“(k) ADDITIONAL REQUIREMENTS FOR CERTAIN NON-*
5 *ATTAINMENT AREAS.—*

6 *“(1) IN GENERAL.—Notwithstanding any other*
7 *provisions of title 23 or chapter 53, for transportation*
8 *management areas classified as nonattainment for*
9 *ozone or carbon monoxide pursuant to the Clean Air*
10 *Act, Federal funds may not be advanced in such area*
11 *for any highway project that will result in a signifi-*
12 *cant increase in the carrying capacity for single-occu-*
13 *phant vehicles unless the project is addressed through*
14 *a congestion management process.*

15 *“(2) APPLICABILITY.—This subsection applies to*
16 *a nonattainment area within the metropolitan plan-*
17 *ning area boundaries determined under subsection*
18 *(c).*

19 *“(l) LIMITATION ON STATUTORY CONSTRUCTION.—*
20 *Nothing in this section shall be construed to confer on a*
21 *metropolitan planning organization the authority to im-*
22 *pose legal requirements on any transportation facility, pro-*
23 *vider, or project not eligible under title 23 or chapter 53.*

24 *“(m) FUNDING.—*

1 “(1) *SET-ASIDES.*—*Funds set aside under section*
2 *104(f) of title 23 or section 5305(h) shall be available*
3 *to carry out this section.*

4 “(2) *OTHER FUNDING.*—*Funds made available*
5 *under section 5338(c) shall be available to carry out*
6 *this section.*

7 “(n) *CONTINUATION OF CURRENT REVIEW PRAC-*
8 *TICE.*—*Since plans and TIPs described in this section are*
9 *subject to a reasonable opportunity for public comment, in-*
10 *dividual projects included in plans and TIPs are subject*
11 *to review under the National Environmental Policy Act of*
12 *1969 (42 U.S.C. 4321 et seq.), and decisions by the Sec-*
13 *retary concerning plans and TIPs described in this section*
14 *have not been reviewed under such Act as of January 1,*
15 *1997, any decision by the Secretary concerning a plan or*
16 *TIP described in this section shall not be considered to be*
17 *a Federal action subject to review under such Act.*

18 **“§ 5214. Statewide transportation planning**

19 “(a) *GENERAL REQUIREMENTS.*—

20 “(1) *DEVELOPMENT OF PLANS AND PROGRAMS.*—
21 *To accomplish the objectives stated in section 5211,*
22 *each State shall develop a statewide transportation*
23 *plan and a statewide transportation improvement*
24 *program for all areas of the State subject to section*
25 *5213. Such program shall cover a period of 4 years*

1 *and be updated every 4 years or more frequently if*
2 *the Governor elects to update more frequently.*

3 “(2) *CONTENTS.*—*The statewide transportation*
4 *plan and the transportation improvement program*
5 *developed for each State shall provide for the develop-*
6 *ment and integrated management and operation of*
7 *transportation systems and facilities (including acces-*
8 *sible pedestrian walkways and bicycle transportation*
9 *facilities) that will function as an intermodal trans-*
10 *portation system for the State and an integral part*
11 *of an intermodal transportation system for the United*
12 *States.*

13 “(3) *PROCESS OF DEVELOPMENT.*—*The process*
14 *for developing the statewide plan and the transpor-*
15 *tation improvement program shall provide for consid-*
16 *eration of all modes of transportation and the policies*
17 *stated in section 5211, and shall be continuing, coop-*
18 *erative, and comprehensive to the degree appropriate,*
19 *based on the complexity of the transportation prob-*
20 *lems to be addressed.*

21 “(b) *COORDINATION WITH METROPOLITAN PLANNING;*
22 *STATE IMPLEMENTATION PLAN.*—*A State shall—*

23 “(1) *coordinate planning carried out under this*
24 *section with the transportation planning activities*
25 *carried out under section 5213 for metropolitan areas*

1 *of the State and with statewide trade and economic*
2 *development planning activities and related*
3 *multistate planning efforts; and*

4 *“(2) develop the transportation portion of the*
5 *State implementation plan as required by the Clean*
6 *Air Act (42 U.S.C. 7401 et seq.).*

7 *“(d) SCOPE OF PLANNING PROCESS.—*

8 *“(1) IN GENERAL.—Each State shall carry out a*
9 *statewide transportation planning process that pro-*
10 *vides for consideration and implementation of*
11 *projects, strategies, and services that will—*

12 *“(A) support the economic vitality of the*
13 *United States, the States, nonmetropolitan areas,*
14 *and metropolitan areas, especially by enabling*
15 *global competitiveness, productivity, and effi-*
16 *ciency;*

17 *“(B) increase the safety and security of the*
18 *transportation system for motorized and non-*
19 *motorized users;*

20 *“(C) increase the accessibility and mobility*
21 *of people and freight;*

22 *“(D) protect and enhance the environment,*
23 *promote energy conservation, improve the qual-*
24 *ity of life, and promote consistency between*
25 *transportation improvements and State and*

1 *local planned growth and economic development*
2 *patterns;*

3 “(E) *enhance the integration and*
4 *connectivity of the transportation system, across*
5 *and between modes throughout the State, for peo-*
6 *ple and freight;*

7 “(F) *promote efficient system management*
8 *and operation; and*

9 “(G) *emphasize the preservation of the exist-*
10 *ing transportation system.*

11 “(2) *FAILURE TO CONSIDER FACTORS.—The fail-*
12 *ure to consider any factor specified in paragraph (1)*
13 *shall not be reviewable by any court under title 23 or*
14 *this title, subchapter II of chapter 5 of title 5, or*
15 *chapter 7 of title 5 in any matter affecting a state-*
16 *wide transportation plan, the transportation im-*
17 *provement program, a project or strategy, or the cer-*
18 *tification of a planning process.*

19 “(e) *ADDITIONAL REQUIREMENTS.—In carrying out*
20 *planning under this section, each State shall consider, at*
21 *a minimum—*

22 “(1) *with respect to nonmetropolitan areas, the*
23 *concerns of affected local officials with responsibility*
24 *for transportation;*

1 “(2) *the concerns of Indian tribal governments*
2 *and Federal land management agencies that have ju-*
3 *risdiction over land within the boundaries of the*
4 *State; and*

5 “(3) *coordination of transportation plans, the*
6 *transportation improvement program, and planning*
7 *activities with related planning activities being car-*
8 *ried out outside of metropolitan planning areas and*
9 *between States.*

10 “(f) *LONG-RANGE STATEWIDE TRANSPORTATION*
11 *PLAN.—*

12 “(1) *DEVELOPMENT.—Each State shall develop a*
13 *long-range statewide transportation plan, with a*
14 *minimum 20-year forecast period for all areas of the*
15 *State, that provides for the development and imple-*
16 *mentation of the intermodal transportation system of*
17 *the State.*

18 “(2) *CONSULTATION WITH GOVERNMENTS.—*

19 “(A) *METROPOLITAN AREAS.—The state-*
20 *wide transportation plan shall be developed for*
21 *each metropolitan area in the State in coopera-*
22 *tion with the metropolitan planning organiza-*
23 *tion designated for the metropolitan area under*
24 *section 5213.*

1 “(B) *NONMETROPOLITAN AREAS.*—*With re-*
2 *spect to nonmetropolitan areas, the statewide*
3 *transportation plan shall be developed in con-*
4 *sultation with affected nonmetropolitan officials*
5 *with responsibility for transportation. The Sec-*
6 *retary shall not review or approve the consulta-*
7 *tion process in each State.*

8 “(C) *INDIAN TRIBAL AREAS.*—*With respect*
9 *to each area of the State under the jurisdiction*
10 *of an Indian tribal government, the statewide*
11 *transportation plan shall be developed in con-*
12 *sultation with the tribal government and the*
13 *Secretary of the Interior.*

14 “(3) *PARTICIPATION BY INTERESTED PARTIES.*—
15 *In developing the statewide transportation plan, the*
16 *State shall—*

17 “(A) *provide citizens, affected public agen-*
18 *cies, representatives of public transportation em-*
19 *ployees, freight shippers, private providers of*
20 *transportation, representatives of users of public*
21 *transportation, representatives of users of pedes-*
22 *trian walkways and bicycle transportation fa-*
23 *ilities, representatives of the disabled, providers*
24 *of freight transportation services, and other in-*

1 *terested parties with a reasonable opportunity to*
2 *comment on the proposed plan; and*

3 *“(B) identify transportation strategies nec-*
4 *essary to efficiently serve the mobility needs of*
5 *people.*

6 *“(4) FINANCIAL PLAN.—The statewide transpor-*
7 *tation plan may include a financial plan that dem-*
8 *onstrates how the adopted statewide transportation*
9 *plan can be implemented, indicates resources from*
10 *public and private sources that are reasonably ex-*
11 *pected to be made available to carry out the plan, and*
12 *recommends any additional financing strategies for*
13 *needed projects and programs. The financial plan*
14 *may include, for illustrative purposes, additional*
15 *projects that would be included in the adopted state-*
16 *wide transportation plan if reasonable additional re-*
17 *sources beyond those identified in the financial plan*
18 *were available.*

19 *“(5) SELECTION OF PROJECTS FROM ILLUS-*
20 *TRATIVE LIST.—A State shall not be required to select*
21 *any project from the illustrative list of additional*
22 *projects included in the financial plan described in*
23 *paragraph (4).*

24 *“(6) EXISTING SYSTEM.—The statewide trans-*
25 *portation plan should include capital, operations and*

1 *management strategies, investments, procedures, and*
2 *other measures to ensure the preservation and most ef-*
3 *ficient use of the existing transportation system.*

4 “(g) *STATEWIDE TRANSPORTATION IMPROVEMENT*
5 *PROGRAM.—*

6 “(1) *DEVELOPMENT.—Each State shall develop a*
7 *statewide transportation improvement program for*
8 *all areas of the State.*

9 “(2) *CONSULTATION WITH GOVERNMENTS.—*

10 “(A) *METROPOLITAN AREAS.—With respect*
11 *to each metropolitan area in the State, the pro-*
12 *gram shall be developed in cooperation with the*
13 *metropolitan planning organization designated*
14 *for the metropolitan area under section 5213.*

15 “(B) *NONMETROPOLITAN AREAS.—With re-*
16 *spect to each nonmetropolitan area in the State,*
17 *the program shall be developed in consultation*
18 *with affected nonmetropolitan local officials with*
19 *responsibility for transportation. The Secretary*
20 *shall not review or approve the specific consulta-*
21 *tion process in the State.*

22 “(C) *INDIAN TRIBAL AREAS.—With respect*
23 *to each area of the State under the jurisdiction*
24 *of an Indian tribal government, the program*

1 *shall be developed in consultation with the tribal*
2 *government and the Secretary of the Interior.*

3 “(3) *PARTICIPATION BY INTERESTED PARTIES.*—

4 *In developing the program, the State shall provide*
5 *citizens, affected public agencies, representatives of*
6 *public transportation employees, freight shippers, pri-*
7 *vate providers of transportation, providers of freight*
8 *transportation services, representatives of users of*
9 *public transportation, representatives of users of pe-*
10 *destrian walkways and bicycle transportation facili-*
11 *ties, representatives of the disabled, and other inter-*
12 *ested parties with a reasonable opportunity to com-*
13 *ment on the proposed program.*

14 “(4) *INCLUDED PROJECTS.*—

15 “(A) *IN GENERAL.*—*A transportation im-*
16 *provement program developed under this sub-*
17 *section for a State shall include federally sup-*
18 *ported surface transportation expenditures with-*
19 *in the boundaries of the State.*

20 “(B) *PROJECTS UNDER CHAPTER 2 OF*
21 *TITLE 23.*—*All projects proposed for funding*
22 *under chapter 2 of title 23 shall be identified in-*
23 *dividually in the transportation improvement*
24 *program.*

1 “(C) *CONSISTENCY WITH STATEWIDE*
2 *TRANSPORTATION PLAN.—Each project shall be—*

3 “(i) *consistent with the statewide*
4 *transportation plan developed under this*
5 *section for the State;*

6 “(ii) *identical to the project or phase of*
7 *the project as described in an approved met-*
8 *ropolitan transportation plan; and*

9 “(iii) *in conformance with the applica-*
10 *ble State air quality implementation plan*
11 *developed under the Clean Air Act (42*
12 *U.S.C. 7401 et seq.), if the project is carried*
13 *out in an area designated as nonattainment*
14 *for ozone or carbon monoxide under that*
15 *Act.*

16 “(D) *REQUIREMENT OF ANTICIPATED FULL*
17 *FUNDING.—The transportation improvement*
18 *program shall include a project, or an identified*
19 *phase of a project, only if full funding can rea-*
20 *sonably be anticipated to be available for the*
21 *project within the time period contemplated for*
22 *completion of the project.*

23 “(E) *FINANCIAL PLAN.—The transportation*
24 *improvement program may include a financial*
25 *plan that demonstrates how the approved trans-*

1 *portation improvement program can be imple-*
2 *mented, indicates resources from public and pri-*
3 *rate sources that are reasonably expected to be*
4 *made available to carry out the transportation*
5 *improvement program, and recommends any ad-*
6 *ditional financing strategies for needed projects*
7 *and programs. The financial plan may include,*
8 *for illustrative purposes, additional projects that*
9 *would be included in the adopted transportation*
10 *plan if reasonable additional resources beyond*
11 *those identified in the financial plan were avail-*
12 *able.*

13 *“(F) SELECTION OF PROJECTS FROM ILLUS-*
14 *TRATIVE LIST.—*

15 *“(i) NO REQUIRED SELECTION.—Not-*
16 *withstanding subparagraph (E), a State*
17 *shall not be required to select any project*
18 *from the illustrative list of additional*
19 *projects included in the financial plan*
20 *under subparagraph (E).*

21 *“(ii) REQUIRED ACTION BY THE SEC-*
22 *RETARY.—Action by the Secretary shall be*
23 *required for a State to select any project*
24 *from the illustrative list of additional*
25 *projects included in the financial plan*

1 *under subparagraph (E) for inclusion in an*
2 *approved transportation improvement pro-*
3 *gram.*

4 “(G) *PRIORITIES.*—*The transportation im-*
5 *provement program shall reflect the priorities for*
6 *programming and expenditures of funds, includ-*
7 *ing transportation enhancement activities, re-*
8 *quired by title 23 and chapter 53.*

9 “(H) *PRIORITIZATION OF CONGESTION RE-*
10 *LIEF ACTIVITIES.*—*The transportation improve-*
11 *ment program shall reflect the priorities for con-*
12 *gestion relief activities included in the metropoli-*
13 *tan transportation plan to meet the requirements*
14 *of section 139 of title 23.*

15 “(5) *PROJECT SELECTION FOR AREAS OF LESS*
16 *THAN 50,000 POPULATION.*—*Projects carried out in*
17 *areas with populations of less than 50,000 individ-*
18 *uals shall be selected, from the approved transpor-*
19 *tation improvement program (excluding projects car-*
20 *ried out on the National Highway System and*
21 *projects carried out under the bridge program or the*
22 *Interstate maintenance program under title 23 or sec-*
23 *tions 5310, 5311, 5316, and 5317), by the State in co-*
24 *operation with the affected nonmetropolitan local offi-*
25 *cial with responsibility for transportation. Projects*

1 *carried out in areas with populations of less than*
2 *50,000 individuals on the National Highway System*
3 *or under the bridge program or the Interstate mainte-*
4 *nance program under title 23 or under sections 5310,*
5 *5311, 5316, and 5317 shall be selected, from the ap-*
6 *proved statewide transportation improvement pro-*
7 *gram, by the State in consultation with the affected*
8 *nonmetropolitan local officials with responsibility for*
9 *transportation.*

10 “(6) *TRANSPORTATION IMPROVEMENT PROGRAM*
11 *APPROVAL.—Every 4 years, a transportation im-*
12 *provement program developed under this subsection*
13 *shall be reviewed and approved by the Secretary if*
14 *based on a current planning finding.*

15 “(7) *PLANNING FINDING.—A finding shall be*
16 *made by the Secretary at least every 4 years that the*
17 *transportation planning process through which state-*
18 *wide transportation plans and programs are devel-*
19 *oped is consistent with this section and section 5213.*

20 “(8) *MODIFICATIONS TO PROJECT PRIORITY.—*
21 *Notwithstanding any other provision of law, action*
22 *by the Secretary shall not be required to advance a*
23 *project included in the approved transportation im-*
24 *provement program in place of another project in the*
25 *program.*

1 “(h) *FUNDING.*—

2 “(1) *SET-ASIDE.*—*Funds set aside pursuant to*
3 *section 104(i) of title 23 shall be available to carry*
4 *out this section.*

5 “(2) *OTHER FUNDING.*—*Funds made available*
6 *under section 5338(c) shall be available to carry out*
7 *this section.*

8 “(i) *TREATMENT OF CERTAIN STATE LAWS AS CON-*
9 *GESTION MANAGEMENT PROCESSES.*—*For purposes of this*
10 *section and section 5213, State laws, rules, or regulations*
11 *pertaining to congestion management systems or programs*
12 *may constitute the congestion management process under*
13 *section 5213(i)(3) if the Secretary finds that the State laws,*
14 *rules, or regulations are consistent with, and fulfill the in-*
15 *tent of, the purposes of section 5213, as appropriate.*

16 “(j) *CONTINUATION OF CURRENT REVIEW PRAC-*
17 *TICE.*—*Since the statewide transportation plan and the*
18 *transportation improvement program described in this sec-*
19 *tion are subject to a reasonable opportunity for public com-*
20 *ment, since individual projects included in the statewide*
21 *transportation plans and the transportation improvement*
22 *program are subject to review under the National Environ-*
23 *mental Policy Act of 1969 (42 U.S.C. 4321 et seq.), and*
24 *since decisions by the Secretary concerning statewide trans-*
25 *portation plans or the transportation improvement pro-*

1 *gram described in this section have not been reviewed under*
 2 *such Act as of January 1, 1997, any decision by the Sec-*
 3 *retary concerning a metropolitan or statewide transpor-*
 4 *tation plan or the transportation improvement program de-*
 5 *scribed in this section shall not be considered to be a Federal*
 6 *action subject to review under such Act.”.*

7 (b) *CONFORMING AMENDMENT.—The analysis for such*
 8 *subtitle is amended by inserting the following after the item*
 9 *relating to chapter 51:*

“52. *Transportation planning and project delivery. 5201”.*

10 **SEC. 6002. EFFICIENT ENVIRONMENTAL REVIEWS FOR**
 11 **PROJECT DECISIONMAKING.**

12 (a) *POLICY AND PURPOSE.—*

13 (1) *POLICY.—The Enlibra principles, as ini-*
 14 *tially developed by the Western Governors Association*
 15 *and adopted by the National Governors Association,*
 16 *represent a sound basis for interaction among the*
 17 *Federal, State, local governments, and Indian tribes*
 18 *on environmental matters and should be followed in*
 19 *the development of highway construction and public*
 20 *transit improvements. These principles are as follows:*

21 (A) *Assign responsibilities at the right level.*

22 (B) *Use collaborative processes to break*
 23 *down barriers and find solutions.*

24 (C) *Move to a performance-based system.*

1 (D) *Separate subjective choices from objec-*
2 *tive data gathering.*

3 (E) *Pursue economic incentives whenever*
4 *appropriate.*

5 (F) *Ensure environmental understanding.*

6 (G) *Make sure environmental decisions are*
7 *fully informed.*

8 (H) *Use appropriate geographic boundaries*
9 *for environmental problems.*

10 (2) *PURPOSE.—The purpose of this section is to*
11 *reduce delays in the delivery of highway construction*
12 *and public transportation capital projects arising*
13 *from the environmental review process, while con-*
14 *tinuing to ensure the protection of the human and*
15 *natural environment.*

16 (b) *PROJECT DEVELOPMENT PROCEDURES.—Chapter*
17 *52 of title 49, United States Code, as added by section*
18 *6001(a) of this Act, is amended by adding at the end the*
19 *following:*

20 “*SUBCHAPTER C—EFFICIENT ENVIRONMENTAL*
21 *REVIEWS FOR PROJECT DECISIONMAKING*

22 “**§ 5251. Definitions and applicability**

23 “(a) *DEFINITIONS.—In this section, the following defi-*
24 *nitions apply:*

1 “(1) *AGENCY.*—*The term ‘agency’ means any*
2 *agency, department, or other unit of Federal, State,*
3 *local, or Indian tribal government.*

4 “(2) *ENVIRONMENTAL IMPACT STATEMENT.*—*The*
5 *term ‘environmental impact statement’ means the de-*
6 *tailed statement of environmental impacts required to*
7 *be prepared under the National Environmental Pol-*
8 *icy Act of 1969 (42 U.S.C. 4321 et seq.).*

9 “(3) *ENVIRONMENTAL REVIEW PROCESS.*—

10 “(A) *IN GENERAL.*—*The term ‘environ-*
11 *mental review process’ means the process for pre-*
12 *paring for a project an environmental impact*
13 *statement, environmental assessment, categorical*
14 *exclusion, or other document prepared under the*
15 *National Environmental Policy Act of 1969 (42*
16 *U.S.C. 4321 et seq.).*

17 “(B) *INCLUSIONS.*—*The term includes the*
18 *process for and completion of any environmental*
19 *permit, approval, review, or study required for a*
20 *project under any Federal law other than the*
21 *National Environmental Policy Act of 1969 (42*
22 *U.S.C. 4321 et seq.).*

23 “(4) *LEAD AGENCY.*—*The term ‘lead agency’*
24 *means the Department of Transportation and, if ap-*

1 *plicable, any State or local governmental entity serv-*
2 *ing as a joint lead agency pursuant to this section.*

3 “(5) *MULTIMODAL PROJECT.*—*The term*
4 *‘multimodal project’ means a project funded, in whole*
5 *or in part, under title 23 or chapter 53 and involving*
6 *the participation of more than one Department of*
7 *Transportation administration or agency.*

8 “(6) *PROJECT.*—*The term ‘project’ means any*
9 *highway project, public transportation capital*
10 *project, or multimodal project that requires the ap-*
11 *proval of the Secretary.*

12 “(7) *PROJECT SPONSOR.*—*The term ‘project*
13 *sponsor’ means the agency or other entity, including*
14 *any private or public-private entity, that seeks ap-*
15 *proval of the Secretary for a project.*

16 “(8) *STATE TRANSPORTATION DEPARTMENT.*—
17 *The term ‘State transportation department’ means*
18 *any statewide agency of a State with responsibility*
19 *for one or more modes of transportation.*

20 “(b) *APPLICABILITY.*—*This subchapter is applicable to*
21 *all projects for which an environmental impact statement*
22 *is prepared under the National Environmental Policy Act*
23 *of 1969 (42 U.S.C. 4321 et seq.). This subchapter may be*
24 *applied, to the extent determined appropriate by the Sec-*
25 *retary, to other projects for which an environmental docu-*

1 *ment is prepared pursuant to such Act. Any authorities*
2 *granted in this subchapter may be exercised for a project,*
3 *class of projects, or program of projects.*

4 **“§ 5252. Project development procedures**

5 “(a) *LEAD AGENCIES.—*

6 “(1) *FEDERAL LEAD AGENCY.—The Department*
7 *of Transportation shall be the Federal lead agency in*
8 *the environmental review process for a project.*

9 “(2) *PROJECT SPONSOR AS JOINT LEAD AGEN-*
10 *CY.—Any project sponsor that is a State or local gov-*
11 *ernmental entity receiving funds under title 23 or*
12 *chapter 53 for the project shall serve as a joint lead*
13 *agency with the Department for purposes of pre-*
14 *paring any environmental document under the Na-*
15 *tional Environmental Policy Act of 1969 (42 U.S.C.*
16 *4321 et seq.) and may prepare any such environ-*
17 *mental document required in support of any action or*
18 *approval by the Secretary if the Federal lead agency*
19 *furnishes guidance in such preparation and inde-*
20 *pendently evaluates such document and the document*
21 *is approved and adopted by the Secretary prior to the*
22 *Secretary taking any subsequent action or making*
23 *any approval based on such document, whether or not*
24 *the Secretary’s action or approval results in Federal*
25 *funding.*

1 “(3) *ENSURING COMPLIANCE.*—*The Secretary*
2 *shall ensure that the project sponsor complies with all*
3 *design and mitigation commitments made jointly by*
4 *the Secretary and the project sponsor in any environ-*
5 *mental document prepared by the project sponsor in*
6 *accordance with this subsection and that such docu-*
7 *ment is appropriately supplemented if project changes*
8 *become necessary.*

9 “(4) *ADOPTION AND USE OF DOCUMENTS.*—*Any*
10 *environmental document prepared in accordance with*
11 *this subsection may be adopted or used by any Fed-*
12 *eral agency making any approval to the same extent*
13 *that such Federal agency could adopt or use a docu-*
14 *ment prepared by another Federal agency.*

15 “(b) *PARTICIPATING AGENCIES.*—

16 “(1) *IN GENERAL.*—*The lead agency shall be re-*
17 *sponsible for inviting and designating participating*
18 *agencies in accordance with this subsection.*

19 “(2) *INVITATION.*—*The lead agency shall iden-*
20 *tify, as early as practicable in the environmental re-*
21 *view process for a project, any other Federal and non-*
22 *Federal agencies that may have an interest in the*
23 *project, and shall invite such agencies to become par-*
24 *ticipating agencies in the environmental review proc-*
25 *ess for the project. The invitation shall set a deadline*

1 *for responses to be submitted. The deadline may be ex-*
2 *tended by the lead agency for good cause.*

3 “(3) *FEDERAL PARTICIPATING AGENCIES.—Any*
4 *Federal agency that is invited by the lead agency to*
5 *participate in the environmental review process for a*
6 *project shall be designated as a participating agency*
7 *by the lead agency unless the invited agency informs*
8 *the lead agency, in writing, by the deadline specified*
9 *in the invitation that the invited agency—*

10 “(A) *has no jurisdiction or authority with*
11 *respect to the project;*

12 “(B) *has no expertise or information rel-*
13 *evant to the project; and*

14 “(C) *does not intend to submit comments on*
15 *the project.*

16 “(4) *EFFECT OF DESIGNATION.—Designation as*
17 *a participating agency under this subsection shall not*
18 *imply that the participating agency—*

19 “(A) *supports a proposed project; or*

20 “(B) *has any jurisdiction over, or special*
21 *expertise with respect to evaluation of, the*
22 *project.*

23 “(5) *COOPERATING AGENCY.—A participating*
24 *agency may also be designated by a lead agency as*
25 *a ‘cooperating agency’ under the regulations con-*

1 *tained in part 1500 of title 40, Code of Federal Regu-*
2 *lations.*

3 “(6) *DESIGNATIONS FOR CATEGORIES OF*
4 *PROJECTS.—The Secretary may exercise the authori-*
5 *ties granted under this subsection for a project, class*
6 *of projects, or program of projects.*

7 “(c) *PROJECT INITIATION.—*

8 “(1) *IN GENERAL.—The project sponsor shall*
9 *initiate the environmental review process for a project*
10 *by submitting an initiation notice to the Secretary.*

11 “(2) *CONTENTS OF NOTICE.—The initiation no-*
12 *tice shall include, at a minimum, a brief description*
13 *of the type of work, termini, length, and general loca-*
14 *tion of the proposed project, together with a statement*
15 *of any Federal approvals anticipated to be needed for*
16 *the project.*

17 “(d) *PURPOSE AND NEED.—*

18 “(1) *PARTICIPATION.—As early as practicable*
19 *during the environmental review process, the lead*
20 *agency shall provide an opportunity for involvement*
21 *by participating agencies and the public in defining*
22 *the purpose and need for a project.*

23 “(2) *DEFINITION.—Following participation*
24 *under paragraph (1), the lead agency shall define the*
25 *project’s purpose and need for purposes of any docu-*

1 *ment which the lead agency is responsible for pre-*
2 *paring for the project.*

3 “(3) *OBJECTIVES.*—*The statement of purpose*
4 *and need shall include a clear statement of the objec-*
5 *tives that the proposed action is intended to achieve,*
6 *which may include—*

7 “(A) *achieving a transportation objective*
8 *identified in an applicable statewide or metro-*
9 *politan transportation plan;*

10 “(B) *supporting land use, economic develop-*
11 *ment, or growth objectives established in applica-*
12 *ble Federal, State, local, or tribal plans; and*

13 “(C) *servicing national defense, national se-*
14 *curity, or other national objectives, as established*
15 *in Federal laws, plans, or policies.*

16 “(e) *ALTERNATIVES ANALYSIS.*—

17 “(1) *PARTICIPATION.*—*As early as practicable*
18 *during the environmental review process, the lead*
19 *agency shall provide an opportunity for involvement*
20 *by participating agencies and the public in deter-*
21 *mining the range of alternatives to be considered for*
22 *a project.*

23 “(2) *RANGE OF ALTERNATIVES.*—*Following par-*
24 *ticipation under paragraph (1), the lead agency shall*
25 *determine the range of alternatives for consideration*

1 *in any document which the lead agency is responsible*
2 *for preparing for the project.*

3 “(3) *METHODOLOGIES.*—*The lead agency also*
4 *shall determine, in collaboration with participating*
5 *agencies at appropriate times during the study proc-*
6 *ess, the methodologies to be used and the level of detail*
7 *required in the analysis of each alternative for a*
8 *project.*

9 “(4) *PREFERRED ALTERNATIVE.*—*At the discre-*
10 *tion of the lead agency, the preferred alternative for*
11 *a project, after being identified, may be developed to*
12 *a higher level of detail than other alternatives in*
13 *order to facilitate the development of mitigation*
14 *measures or concurrent compliance with other appli-*
15 *cable laws if the lead agency determines that the de-*
16 *velopment of such higher level of detail will not pre-*
17 *vent the lead agency from making an impartial deci-*
18 *sion as to whether to accept another alternative which*
19 *is being considered in the environmental review proc-*
20 *ess.*

21 “(f) *COMMENT DEADLINES.*—*The lead agency shall es-*
22 *tablish the following deadlines for comment during the envi-*
23 *ronmental review process for a project:*

24 “(1) *For comments by agencies and the public on*
25 *a draft environmental impact statement, a period of*

1 *no more than 60 days from the date of public avail-*
2 *ability of such document, unless—*

3 “(A) *a different deadline is established by*
4 *agreement of the lead agency, the project sponsor,*
5 *and all participating agencies; or*

6 “(B) *the deadline is extended by the lead*
7 *agency for good cause.*

8 “(2) *For all other comment periods established*
9 *by the lead agency for agency or public comments in*
10 *the environmental review process, a period of no more*
11 *than 30 days from availability of the materials on*
12 *which comment is requested, unless—*

13 “(A) *a different deadline is established by*
14 *agreement of the lead agency, the project sponsor,*
15 *and all participating agencies; or*

16 “(B) *the deadline is extended by the lead*
17 *agency for good cause.*

18 “(g) *ISSUE IDENTIFICATION AND RESOLUTION.—*

19 “(1) *COOPERATION.—The lead agency and the*
20 *participating agencies shall work cooperatively in ac-*
21 *cordance with this section to identify and resolve*
22 *issues that could delay completion of the environ-*
23 *mental review process or could result in denial of any*
24 *approvals required for the project under applicable*
25 *laws.*

1 “(2) *LEAD AGENCY RESPONSIBILITIES.*—*The*
2 *lead agency shall make information available to the*
3 *participating agencies as early as practicable in the*
4 *environmental review process regarding the environ-*
5 *mental and socioeconomic resources located within the*
6 *project area and the general locations of the alter-*
7 *natives under consideration. Such information may*
8 *be based on existing data sources, including geo-*
9 *graphic information systems mapping.*

10 “(3) *PARTICIPATING AGENCY RESPONSIBIL-*
11 *ITIES.*—*Based on information received from the lead*
12 *agency, participating agencies shall identify, as early*
13 *as practicable, any issues of concern regarding the*
14 *project’s potential environmental or socioeconomic*
15 *impacts. In this paragraph, issues of concern include*
16 *any issues that could substantially delay or prevent*
17 *an agency from granting a permit or other approval*
18 *that is needed for the project.*

19 “(4) *ISSUE RESOLUTION.*—*Whenever issues of*
20 *concern are identified or at any time upon request of*
21 *a project sponsor, the lead agency shall promptly con-*
22 *vene a meeting with the relevant participating agen-*
23 *cies. If a resolution cannot be achieved within 30*
24 *days following such a meeting and a determination*
25 *by the lead agency that all information necessary to*

1 *resolve the issue has been obtained, the lead agency*
2 *shall notify the heads of all Federal agencies involved*
3 *in the meeting and the Committee on Environment*
4 *and Public Works of the Senate and the Committee on*
5 *Transportation and Infrastructure of the House of*
6 *Representatives and shall publish such notification in*
7 *the Federal Register.*

8 “(h) *PARTICIPATION OF STATE AGENCIES.—For any*
9 *project eligible for assistance under title 23 or chapter 53,*
10 *a State may require, under procedures established by State*
11 *law, that all State agencies that have jurisdiction by State*
12 *or Federal law over environmental-related issues that may*
13 *be affected by the project, or that are required to issue any*
14 *environmental-related reviews, analyses, opinions, or deter-*
15 *minations on issuing any permits, licenses, or approvals*
16 *for the project, be subject to the coordinated environmental*
17 *review process established under this section unless the Sec-*
18 *retary determines that a State agency’s participation would*
19 *not be in the public interest. A State participating in the*
20 *review process must require all State agencies with jurisdic-*
21 *tion to be subject to and comply with the review process*
22 *to the same extent as a Federal agency.*

23 “(i) *ASSISTANCE TO AFFECTED STATE AND FEDERAL*
24 *AGENCIES.—*

1 “(1) *IN GENERAL.*—For a project that is subject
2 to the environmental review process established under
3 this section and for which funds are made available
4 to a State under title 23 or chapter 53, the Secretary
5 may approve a request by the State to provide funds
6 so made available to affected Federal agencies (includ-
7 ing the Department of Transportation), State agen-
8 cies, and Indian tribes participating in the environ-
9 mental review process for the project. Such funds may
10 be provided only to support activities that directly
11 and meaningfully contribute to expediting and im-
12 proving transportation project planning and delivery.
13 Such activities may include dedicated staffing, train-
14 ing of agency personnel, information gathering and
15 mapping, and development of programmatic agree-
16 ments. The Secretary may also use funds made avail-
17 able under section 204 of title 23 for a project for the
18 purposes specified in this subsection with respect to
19 the environmental review process for the project.

20 “(2) *AMOUNTS.*—Requests under paragraph (1)
21 may be approved only for the additional amounts
22 that the Secretary determines are necessary for the
23 Federal agencies, State agencies, or Indian tribes par-
24 ticipating in the environmental review process to
25 meet the time limits for environmental review.

1 “(3) *CONDITION.*—A request under paragraph
2 (1) to expedite time limits for environmental review
3 may be approved only if such time limits are less
4 than the customary time necessary for such review.”.

5 (c) *EXISTING ENVIRONMENTAL REVIEW PROC-*
6 *ESSES.*—Nothing in this section shall be deemed to affect
7 any existing environmental review process approved by the
8 Secretary.

9 **SEC. 6003. POLICY ON HISTORIC SITES.**

10 (a) *TITLE 49.*—Section 303 of title 49, United States
11 Code, is amended by adding at the end the following:

12 “(d) *SPECIAL RULES FOR HISTORIC SITES.*—

13 “(1) *IN GENERAL.*—The requirements of this sec-
14 tion are deemed to be satisfied in any case in which
15 the treatment of a historic site has been agreed upon
16 in accordance with section 106 of the National His-
17 toric Preservation Act (16 U.S.C. 470f) and the agree-
18 ment includes a determination that the program or
19 project will not have an adverse effect on the historic
20 site.

21 “(2) *LIMITATION ON APPLICABILITY.*—This sub-
22 section does not apply in any case in which the Advi-
23 sory Council on Historic Preservation determines,
24 concurrent with or prior to the conclusion of section
25 106 consultation, that allowing section 106 compli-

1 *ance to satisfy the requirements of this section would*
2 *be inconsistent with the objectives of the National*
3 *Historic Preservation Act. The Council shall make*
4 *such a determination if petitioned to do so by a sec-*
5 *tion 106 consulting party, unless the Council affirma-*
6 *tively finds that the views of the requesting party*
7 *have been adequately considered and that section 106*
8 *compliance will adequately protect historic properties.*

9 *“(3) DEFINITIONS.—In this subsection, the fol-*
10 *lowing definitions apply:*

11 *“(A) SECTION 106 CONSULTATION.—The*
12 *term ‘section 106 consultation’ means the con-*
13 *sultation process required under section 106 of*
14 *the National Historic Preservation Act (16*
15 *U.S.C. 470f).*

16 *“(B) ADVERSE EFFECT.—The term ‘adverse*
17 *effect’ means altering, directly or indirectly, any*
18 *of the characteristics of a historic property that*
19 *qualify the property for inclusion in the Na-*
20 *tional Register in a manner that would diminish*
21 *the integrity of the property’s location, design,*
22 *setting, materials, workmanship, feeling, or asso-*
23 *ciation.”.*

24 *(b) TITLE 23.—Section 138 of title 23, United States*

25 *Code is amended—*

1 (1) *by inserting “(a) Policy.—” before “It is”;*
2 *and*

3 (2) *by striking “In carrying” and inserting the*
4 *following:*

5 “*(c) STUDIES.—In carrying*”; *and*

6 (3) *by inserting after subsection (a) (as des-*
7 *ignated by paragraph (1)) the following:*

8 “*(b) SPECIAL RULES FOR HISTORIC SITES.—*

9 “*(1) IN GENERAL.—The requirements of this sec-*
10 *tion are deemed to be satisfied in any case in which*
11 *the treatment of a historic site has been agreed upon*
12 *in accordance with section 106 of the National His-*
13 *toric Preservation Act (16 U.S.C. 470f) and the agree-*
14 *ment includes a determination that the program or*
15 *project will not have an adverse effect on the historic*
16 *site.*

17 “*(2) LIMITATION ON APPLICABILITY.—This sub-*
18 *section does not apply in any case in which the Advi-*
19 *sory Council on Historic Preservation determines,*
20 *concurrent with or prior to the conclusion of section*
21 *106 consultation, that allowing section 106 compli-*
22 *ance to satisfy the requirements of this section would*
23 *be inconsistent with the objectives of the National*
24 *Historic Preservation Act. The Council shall make*
25 *such a determination if petitioned to do so by a sec-*

1 *tion 106 consulting party, unless the Council affirma-*
2 *tively finds that the views of the requesting party*
3 *have been adequately considered and that section 106*
4 *compliance will adequately protect historic properties.*

5 *“(3) DEFINITIONS.—In this subsection, the fol-*
6 *lowing definitions apply:*

7 *“(A) SECTION 106 CONSULTATION.—The*
8 *term ‘section 106 consultation’ means the con-*
9 *sultation process required under section 106 of*
10 *the National Historic Preservation Act (16*
11 *U.S.C. 470f).*

12 *“(B) ADVERSE EFFECT.—The term ‘adverse*
13 *effect’ means altering, directly or indirectly, any*
14 *of the characteristics of a historic property that*
15 *qualify the property for inclusion in the Na-*
16 *tional Register in a manner that would diminish*
17 *the integrity of the property’s location, design,*
18 *setting, materials, workmanship, feeling, or asso-*
19 *ciation.”.*

20 **SEC. 6004. EXEMPTION OF INTERSTATE SYSTEM.**

21 *Section 103(c) of title 23, United States Code, is*
22 *amended by adding at the end the following:*

23 *“(5) EXEMPTION OF INTERSTATE SYSTEM.—*

24 *“(A) IN GENERAL.—Except as provided in*
25 *subparagraph (B), the Interstate System shall*

1 *not be considered to be a historic site under sec-*
2 *tion 303 of title 49 or section 138 of this title,*
3 *regardless of whether the Interstate System or*
4 *portions of the Interstate System are listed on, or*
5 *eligible for listing on, the National Register of*
6 *Historic Places.*

7 “(B) *INDIVIDUAL ELEMENTS.*—*Subject to*
8 *subparagraph (C), a portion of the Interstate*
9 *System that possesses an independent feature of*
10 *historic significance (such as a historic bridge or*
11 *a highly significant engineering feature) that is*
12 *listed on, or eligible for listing on, the National*
13 *Register of Historic Places, shall be considered to*
14 *be a historic site under section 303 of title 49 or*
15 *section 138 of this title, as applicable.*

16 “(C) *CONSTRUCTION, MAINTENANCE, RES-*
17 *TORATION, AND REHABILITATION ACTIVITIES.*—
18 *Subparagraph (B) does not prohibit a State*
19 *from carrying out construction, maintenance,*
20 *restoration, or rehabilitation activities for a por-*
21 *tion of the Interstate System referred to in sub-*
22 *paragraph (B) upon compliance with section*
23 *303 of title 49 or section 138 of this title, as ap-*
24 *plicable, and section 106 of the National His-*

1 *toric Preservation Act of 1966 (16 U.S.C.*
2 *470f).”.*

3 **SEC. 6005. INTERSTATE COMPACTS.**

4 *Section 5213(d), as inserted by section 6001(a) of this*
5 *Act, is amended by inserting after paragraph (1) the fol-*
6 *lowing:*

7 “(2) *INTERSTATE COMPACTS.*—*The consent of*
8 *Congress is granted to any 2 or more States—*

9 “(A) *to enter into agreements or compacts,*
10 *not in conflict with any law of the United*
11 *States, for cooperative efforts and mutual assist-*
12 *ance in support of activities authorized under*
13 *this section as the activities pertain to interstate*
14 *areas and localities within the States; and*

15 “(B) *to establish such agencies, joint or oth-*
16 *erwise, as the States may determine desirable for*
17 *making the agreements and compacts effective.*

18 “(3) *LAKE TAHOE REGION.*—

19 “(A) *DEFINITION.*—*In this paragraph, the*
20 *term ‘Lake Tahoe region’ has the meaning given*
21 *the term ‘region’ in subdivision (a) of article II*
22 *of the Tahoe Regional Planning Compact, as set*
23 *forth in the first section of Public Law 96–551*
24 *(94 Stat. 3234).*

1 “(B) *TRANSPORTATION PLANNING PROC-*
2 *ESS.—The Secretary shall—*

3 “(i) *establish with the Federal land*
4 *management agencies that have jurisdiction*
5 *over land in the Lake Tahoe region a trans-*
6 *portation planning process for the region;*
7 *and*

8 “(ii) *coordinate the transportation*
9 *planning process with the planning process*
10 *required of State and local governments*
11 *under this section and section 5214.*

12 “(C) *INTERSTATE COMPACT.—*

13 “(i) *IN GENERAL.—Subject to clause*
14 *(ii), notwithstanding subsection (b), to*
15 *carry out the transportation planning proc-*
16 *ess required by this section, the consent of*
17 *Congress is granted to the States of Cali-*
18 *fornia and Nevada to designate a metropoli-*
19 *tan planning organization for the Lake*
20 *Tahoe region, by agreement between the*
21 *Governors of the States of California and*
22 *Nevada and units of general purpose local*
23 *government that together represent at least*
24 *75 percent of the affected population (in-*
25 *cluding the central city or cities (as defined*

1 by the Bureau of the Census)), or in accord-
2 ance with procedures established by applica-
3 ble State or local law.

4 “(i) INVOLVEMENT OF FEDERAL LAND
5 MANAGEMENT AGENCIES.—

6 “(I) REPRESENTATION.—The pol-
7 icy board of a metropolitan planning
8 organization designated under clause
9 (i) shall include a representative of
10 each Federal land management agency
11 that has jurisdiction over land in the
12 Lake Tahoe region.

13 “(II) FUNDING.—In addition to
14 funds made available to the metropoli-
15 tan planning organization under other
16 provisions of title 23 and under chap-
17 ter 53, not more than 1 percent of the
18 funds allocated under section 202 of
19 title 23 may be used to carry out the
20 transportation planning process for the
21 Lake Tahoe region under this subpara-
22 graph.

23 “(D) ACTIVITIES.—Highway projects in-
24 cluded in transportation plans developed under
25 this paragraph—

1 “(i) shall be selected for funding in a
2 manner that facilitates the participation of
3 the Federal land management agencies that
4 have jurisdiction over land in the Lake
5 Tahoe region; and

6 “(ii) may, in accordance with chapter
7 2 of title 23, be funded using funds allocated
8 under section 202 of title 23.

9 “(4) *RESERVATION OF RIGHTS.*—The right to
10 alter, amend or repeal interstate compacts entered
11 into under this subsection is expressly reserved.”.

12 **SEC. 6006. DEVELOPMENT OF TRANSPORTATION PLAN.**

13 Section 5213(g), as inserted by section 6001(a) of this
14 Act, is amended by inserting before paragraph (2) the fol-
15 lowing:

16 “(1) *IN GENERAL.*—Each metropolitan planning
17 organization shall prepare, and update periodically,
18 according to a schedule that the Secretary determines
19 to be appropriate, a transportation plan for its met-
20 ropolitan planning area in accordance with the re-
21 quirements of this subsection. The metropolitan plan-
22 ning organization shall prepare and update such plan
23 every 4 years (or more frequently, if the metropolitan
24 planning organization elects to update more fre-
25 quently) in the case of each of the following:

1 “(A) Any area designated as nonattain-
2 ment, as defined in section 107(d) of the Clean
3 Air Act (42 U.S.C. 7407(d)).

4 “(B) Any area that was nonattainment and
5 subsequently designated to attainment in accord-
6 ance with section 107(d)(3) of that Act (42
7 U.S.C. 7407(d)(3)) and that is subject to a
8 maintenance plan under section 175A of that
9 Act (42 U.S.C. 7505a).

10 *In the case of any other area required to have a*
11 *transportation plan in accordance with the require-*
12 *ments of this subsection, the metropolitan planning*
13 *organization shall prepare and update such plan*
14 *every 4 years unless the metropolitan planning orga-*
15 *nization elects to update more frequently.”.*

16 **SEC. 6007. INTERSTATE AGREEMENTS.**

17 *Section 5214, as inserted by section 6001(a) of this*
18 *Act, is amended by inserting after subsection (b) the fol-*
19 *lowing:*

20 “(c) *INTERSTATE AGREEMENTS.—*

21 “(1) *IN GENERAL.—The consent of Congress is*
22 *granted to 2 or more States entering into agreements*
23 *or compacts, not in conflict with any law of the*
24 *United States, for cooperative efforts and mutual as-*
25 *sistance in support of activities authorized under this*

1 *section related to interstate areas and localities in the*
2 *States and establishing authorities the States consider*
3 *desirable for making the agreements and compacts ef-*
4 *fective.*

5 *“(2) RESERVATION OF RIGHTS.—The right to*
6 *alter, amend or repeal interstate compacts entered*
7 *into under this subsection is expressly reserved.”.*

8 **SEC. 6008. REGULATIONS RELATING TO TRANSPORTATION**
9 **PLANNING.**

10 *Not later than 18 months after the date of enactment*
11 *of this Act, the Secretary shall issue regulations that are*
12 *consistent with the provisions of subchapter B of chapter*
13 *52 of title 49, United States Code, that relate to the Clean*
14 *Air Act.*

15 **SEC. 6009. SPECIAL RULES RELATING TO PROJECT DEVEL-**
16 **OPMENT PROCEDURES.**

17 *Section 5252 of title 49, United States Code, as in-*
18 *serted by section 6001(a) of this Act, is amended by adding*
19 *at the end the following:*

20 *“(j) JUDICIAL REVIEW AND SAVINGS CLAUSE.—*

21 *“(1) JUDICIAL REVIEW.—Except as set forth*
22 *under subsection (k), nothing in this section shall af-*
23 *fect the reviewability of any final Federal agency ac-*
24 *tion in a court of the United States.*

1 “(2) *SAVINGS CLAUSE.*—*Nothing in this section*
2 *shall be construed as superseding, amending, or modi-*
3 *fying the National Environmental Policy Act of 1969*
4 *(42 U.S.C. 4321 et seq.) or any other Federal environ-*
5 *mental statute or affect the responsibility of any Fed-*
6 *eral officer to comply with or enforce any such stat-*
7 *ute.*

8 “(3) *LIMITATIONS.*—*Nothing in this section shall*
9 *preempt or interfere with—*

10 “(A) *any practice of seeking, considering, or*
11 *responding to public comment; or*

12 “(B) *any power, jurisdiction, responsibility,*
13 *or authority that a Federal, State, or local gov-*
14 *ernment agency, metropolitan planning organi-*
15 *zation, Indian tribe, or project sponsor has with*
16 *respect to carrying out a project or any other*
17 *provisions of law applicable to projects, plans, or*
18 *programs.*

19 “(k) *LIMITATIONS ON CLAIMS.*—

20 “(1) *IN GENERAL.*—*Notwithstanding any other*
21 *provision of law, a claim arising under Federal law*
22 *seeking judicial review of a permit, license, or ap-*
23 *proval issued by a Federal agency for a highway or*
24 *public transportation capital project shall be barred*
25 *unless it is filed within 90 days after the permit, li-*

1 *cense, or approval is final pursuant to the law under*
2 *which the agency action is taken, unless a shorter*
3 *time is specified in the Federal law pursuant to*
4 *which judicial review is allowed. Nothing in this sub-*
5 *section shall create a right to judicial review or place*
6 *any limit on filing a claim that a person has violated*
7 *the terms of a permit, license, or approval.*

8 *“(2) NEW INFORMATION.—The Secretary shall*
9 *consider new information received after the close of a*
10 *comment period if the information satisfies the re-*
11 *quirements for a supplemental environmental impact*
12 *statement under section 771.130 of title 23, Code of*
13 *Federal Regulations. The preparation of a supple-*
14 *mental environmental impact statement when re-*
15 *quired shall be considered a separate final agency ac-*
16 *tion and the deadline for filing a claim for judicial*
17 *review of such action shall be 90 days after the date*
18 *of such action.”.*

19 **TITLE VII—HAZARDOUS**
20 **MATERIALS TRANSPORTATION**

21 **SEC. 7001. AMENDMENT OF TITLE 49, UNITED STATES CODE.**

22 *Except as otherwise expressly provided, whenever in*
23 *this title an amendment or repeal is expressed in terms of*
24 *an amendment to, or a repeal of, a section or other provi-*

1 sion, the reference shall be considered to be made to a section
2 or other provision of title 49, United States Code.

3 **SEC. 7002. FINDINGS AND PURPOSE.**

4 (a) *FINDINGS.*—Congress finds with respect to haz-
5 ardous materials transportation that—

6 (1) approximately 4,000,000,000 tons of regu-
7 lated hazardous materials are transported each year
8 and approximately 1,200,000 movements of hazardous
9 materials occur each day, according to Department of
10 Transportation estimates;

11 (2) the movement of hazardous materials in com-
12 merce is necessary to maintain economic vitality and
13 meet consumer demands and must be conducted in a
14 safe and efficient manner;

15 (3) accidents involving, or unauthorized access
16 to, hazardous materials in transportation may result
17 in a release of such materials and pose a serious
18 threat to public health and safety;

19 (4) many States and localities have enacted laws
20 and regulations that vary from Federal laws and reg-
21 ulations pertaining to the transportation of hazardous
22 materials, thereby creating the potential for unreason-
23 able hazards in other jurisdictions and confounding
24 shippers and carriers that attempt to comply with
25 multiple regulatory requirements;

1 (5) because of the potential risks to life, property,
2 and the environment posed by unintentional releases
3 of hazardous materials, consistency in laws and regu-
4 lations governing the transportation of hazardous ma-
5 terials is necessary and desirable;

6 (6) in order to achieve greater uniformity and to
7 promote the public health, welfare, and safety at all
8 levels, Federal standards for regulating the transpor-
9 tation of hazardous materials in intrastate, interstate,
10 and foreign commerce are necessary and desirable;
11 and

12 (7) in order to provide reasonable, adequate, and
13 cost-effective protection from the risks posed by the
14 transportation of hazardous materials, a network of
15 well-trained State and local emergency response per-
16 sonnel and hazmat employees is essential.

17 (b) *PURPOSE.*—The text of section 5101 is amended
18 to read as follows: “The purpose of this chapter is to protect
19 against the risks to life, property, and the environment that
20 are inherent in the transportation of hazardous material
21 in intrastate, interstate, and foreign commerce.”.

22 **SEC. 7003. DEFINITIONS.**

23 Section 5102 is amended—

24 (1) in paragraph (1)—

1 (A) by striking “or” at the end of subpara-
2 graph (A);

3 (B) by striking the period at the end of sub-
4 paragraph (B) and inserting “; or”; and

5 (C) by inserting at the end the following:

6 “(C) on a United States registered air-
7 craft.”;

8 (2) in paragraph (8) by striking “national re-
9 sponse team” each place it appears and inserting
10 “National Response Team”;

11 (3) by redesignating paragraphs (11), (12), and
12 (13) as paragraphs (12), (13), and (14), respectively;
13 and

14 (4) by inserting after paragraph (10) the fol-
15 lowing:

16 “(11) ‘Secretary’ means the Secretary of Trans-
17 portation.”.

18 **SEC. 7004. GENERAL REGULATORY AUTHORITY.**

19 (a) *TECHNICAL AMENDMENTS.*—Section 5103(a) is
20 amended—

21 (1) by striking “etiologic agent,” and inserting
22 “infectious substance,”; and

23 (2) by striking “poison,” and inserting “toxic,”.

24 (b) *REGULATIONS FOR SAFE TRANSPORTATION.*—Sec-
25 tion 5103(b)(1)(A) is amended—

1 (1) *in clause (i) by striking “transporting” and*
2 *inserting “that transports”;*

3 (2) *in clause (ii)—*

4 (A) *by striking “causing” and inserting*
5 *“that causes”; and*

6 (B) *by striking “or” at the end; and*

7 (3) *by striking clause (iii) and inserting the fol-*
8 *lowing:*

9 “(iii) *that designs, manufactures, fabricates,*
10 *inspects, marks, maintains, reconditions, re-*
11 *pairs, or tests a package or container that is rep-*
12 *resented, marked, certified, or sold by that person*
13 *as qualified for use in transporting hazardous*
14 *material in commerce;*

15 “(iv) *that prepares or accepts hazardous*
16 *material for transportation in commerce;*

17 “(v) *that is responsible for the safety of*
18 *transporting hazardous material in commerce;*

19 “(vi) *that certifies compliance with any re-*
20 *quirement of this chapter; or*

21 “(vii) *that misrepresents whether the person*
22 *is engaged in any of the activities described in*
23 *this subparagraph; and”.*

24 (c) *TECHNICAL AMENDMENT.—Section 5103(b) is*
25 *amended—*

- 1 (1) by moving subparagraph (C) from the end of
2 paragraph (1) and inserting it after paragraph (2);
3 (2) by redesignating such subparagraph as para-
4 graph (3); and
5 (3) by moving such paragraph (3) 2 ems to the
6 left.

7 **SEC. 7005. CHEMICAL OR BIOLOGICAL MATERIALS.**

8 *Section 5103a(c) is amended—*

9 (1) in paragraph (2) by striking “this sub-
10 section” and inserting “paragraph (1)”; and

11 (2) by adding at the end the following:

12 “(3) *STANDARDS.*—*The Secretary shall prescribe*
13 *by regulation uniform standards (including standards*
14 *used to disqualify applicants) governing—*

15 “(A) *the collection by States of background*
16 *information authorized by paragraph (1);*

17 “(B) *the collection, transmission, and re-*
18 *view of background information; and*

19 “(C) *the notification of an applicant of the*
20 *results of the background check.*

21 “(4) *FEES.*—*A State may impose and collect an*
22 *appropriate fee to carry out paragraph (1) consistent*
23 *with section 5125(f).*

24 “(5) *OPERATORS REGISTERED IN MEXICO AND*
25 *CANADA.*—*No operator of a commercial motor vehicle*

1 *(as defined in section 31101) licensed in Mexico or*
2 *Canada may operate in the United States a commer-*
3 *cial motor vehicle transporting hazardous material*
4 *until the operator has undergone a background*
5 *records check similar to the background records check*
6 *required of operators of commercial motor vehicles li-*
7 *censed in the United States to transport hazardous*
8 *materials.”.*

9 **SEC. 7006. REPRESENTATION AND TAMPERING.**

10 *(a) REPRESENTATION.—Section 5104(a) is amend-*
11 *ed—*

12 *(1) by striking “A person” and inserting “No*
13 *person”;*

14 *(2) in paragraph (1) by striking “only if” and*
15 *all that follows through “meets” and inserting “if it*
16 *does not conform to”; and*

17 *(3) in paragraph (2) by striking “only if” and*
18 *inserting “unless”.*

19 *(b) TAMPERING.—Section 5104(b) is amended by*
20 *striking “A person may not” and inserting “No person*
21 *may”.*

22 **SEC. 7007. TECHNICAL AMENDMENTS.**

23 *(a) ELIMINATION OF COMPLETED STUDY.—Section*
24 *5105 is amended—*

25 *(1) by striking subsection (d); and*

1 (2) *by redesignating subsection (e) as subsection*
2 *(d).*

3 (b) *CLASSIFICATION OF EXPLOSIVES.—Section*
4 *5108(a)(1)(B) is amended by striking “class A or B” and*
5 *inserting “Division 1.1, 1.2, or 1.3”.*

6 **SEC. 7008. TRAINING OF CERTAIN EMPLOYEES.**

7 *Section 5107 is amended—*

8 (1) *by redesignating subsections (f) and (g) as*
9 *subsections (g) and (h), respectively;*

10 (2) *in subsection (g)(2) (as so redesignated) by*
11 *striking “sections 5106, 5108(a)–(g)(1) and (h), and*
12 *5109 of this title” and inserting “section 5106”; and*

13 (3) *by inserting after subsection (e) the following:*

14 “*(f) TRAINING OF CERTAIN EMPLOYEES.—The Sec-*
15 *retary shall ensure that maintenance-of-way employees and*
16 *railroad signalmen receive general awareness/familiariza-*
17 *tion training and safety training pursuant to section*
18 *172.704 of title 49, Code of Federal Regulations.”.*

19 **SEC. 7009. REGISTRATION.**

20 (a) *PERSONS REQUIRED TO FILE.—Section 5108(a)*
21 *is amended—*

22 (1) *in paragraph (2)(B) by striking “manufac-*
23 *turing, fabricating, marking, maintaining, recondi-*
24 *tioning, repairing, or testing” and inserting “design-*
25 *ing, manufacturing, fabricating, inspecting, marking,*

1 *maintaining, reconditioning, repairing, or testing*’;
2 *and*

3 (2) *by aligning the left margin of paragraph (4)*
4 *with the left margin of paragraph (3).*

5 (b) *FILING SCHEDULE.*—*Section 5108(c) is amend-*
6 *ed—*

7 (1) *by striking the subsection heading and in-*
8 *serting “FILING SCHEDULE”; and*

9 (2) *in paragraph (1)—*

10 (A) *by striking “must file the first” and in-*
11 *serting “shall file that”;*

12 (B) *by striking “not later than March 31,*
13 *1992” and inserting “in accordance with regula-*
14 *tions issued by the Secretary”; and*

15 (C) *by striking the second sentence.*

16 (c) *FEES.*—*Section 5108(g) is amended—*

17 (1) *in paragraph (1) by striking “may” and in-*
18 *serting “shall”;*

19 (2) *in paragraph (2)(A) by striking “\$5,000”*
20 *and inserting “\$3,000”; and*

21 (3) *by adding at the end the following:*

22 “(3) *FEES ON EXEMPT PERSONS.*—*Notwith-*
23 *standing subsection (a)(4), the Secretary shall impose*
24 *and collect a fee of \$25 from a person who is required*
25 *to register under this section but who is otherwise ex-*

1 empted by the Secretary from paying any fee under
2 this section. The fee shall be used to pay the cost of
3 the Secretary in processing registration statements
4 filed by such persons.”.

5 (d) *RELATIONSHIP TO OTHER LAWS.*—Section
6 5108(i)(2)(B) is amended by inserting “, Indian tribe,”
7 after “State” the first place it appears.

8 (e) *HAZMAT REGISTRATION NOTIFICATION.*—As soon
9 as practicable, the Pipelines and Hazardous Materials Safe-
10 ty Administrator of the Department of Transportation shall
11 transmit to the Federal Motor Carrier Safety Administra-
12 tion hazardous material registrant information obtained
13 before, on, or after the date of enactment of this Act under
14 section 5108 of title 49, United States Code, together with
15 any Department of Transportation identification number
16 for each registrant.

17 **SEC. 7010. PROVIDING SHIPPING PAPERS.**

18 Section 5110 is amended—

19 (1) in subsection (a) by striking “under sub-
20 section (b) of this section” and inserting “by regula-
21 tion”; and

22 (2) in subsection (e) by striking “1 year” and
23 inserting “2 years after the date of preparation of the
24 shipping paper”.

1 **SEC. 7011. RAIL TANK CARS.**

2 *Section 5111, and the item relating to such section in*
 3 *the analysis for chapter 51, are repealed.*

4 **SEC. 7012. UNSATISFACTORY SAFETY RATING.**

5 *The text of section 5113 is amended to read as follows:*

6 *“A person who violates section 31144(c)(3) shall be subject*
 7 *to the penalties in sections 5123 and 5124.”*

8 **SEC. 7013. TRAINING CURRICULUM FOR THE PUBLIC SEC-**
 9 **TOR.**

10 (a) *REQUIREMENTS.*—Section 5115(b)(1)(C) is
 11 *amended by striking “under other United States Govern-*
 12 *ment grant programs, including those” and inserting “with*
 13 *Federal financial assistance, including programs”.*

14 (b) *TRAINING ON COMPLYING WITH LEGAL REQUIRE-*
 15 *MENTS.*—Section 5115(c)(3) is amended by inserting before
 16 *the period at the end the following: “and such other vol-*
 17 *untary consensus standard-setting organizations as the Sec-*
 18 *retary determines appropriate”.*

19 (c) *DISTRIBUTION AND PUBLICATION.*—Section
 20 *5115(d) is amended—*

21 (1) *in the matter preceding paragraph (1) by*
 22 *striking “national response team” and inserting “Na-*
 23 *tional Response Team”;*

24 (2) *in paragraph (1) by striking “Director of the*
 25 *Federal Emergency Management Agency” and insert-*
 26 *ing “Secretary”; and*

1 (3) *in paragraph (2)*—

2 (A) *by inserting “and distribute” after*
3 *“publish”; and*

4 (B) *by striking “programs that uses” and*
5 *all that follows before the period at the end and*
6 *inserting “programs and courses developed under*
7 *this section”.*

8 **SEC. 7014. PLANNING AND TRAINING GRANTS, MONI-**
9 **TORING, AND REVIEW.**

10 (a) *FACTORS TO CONSIDER IN DETERMINING*
11 *NEEDS.*—*Section 5116(b)(4) is amended—*

12 (1) *by striking “and” at the end of subpara-*
13 *graph (D);*

14 (2) *by redesignating subparagraph (E) as sub-*
15 *paragraph (F); and*

16 (3) *by inserting after subparagraph (D) the fol-*
17 *lowing:*

18 *“(E) the report submitted by the State to the*
19 *Secretary under section 5125(f)(2); and”.*

20 (b) *COMPLIANCE WITH CERTAIN LAW.*—*Section*
21 *5116(c) is amended—*

22 (1) *by inserting “or Indian tribe” after “a*
23 *State”;*

24 (2) *by inserting “or Indian tribe” after “the*
25 *State” the first place it appears; and*

1 (3) by inserting “(1) the State or Indian tribe
2 is complying with all applicable requirements of this
3 chapter (including section 5125(f)), and (2) in the
4 case of a State,” after “certifies that”.

5 (c) *GOVERNMENT’S SHARE OF COSTS.*—Section
6 5116(e) is amended by striking the second sentence and in-
7 serting the following: “Amounts received by the State or
8 tribe under subsections (a)(1) and (b)(1) are not part of
9 the non-Government share under this subsection.”.

10 (d) *MONITORING AND TECHNICAL ASSISTANCE.*—Sec-
11 tion 5116(f) is amended—

12 (1) in the first sentence—

13 (A) by striking “Secretaries of Transpor-
14 tation and Energy,” and inserting “Secretary of
15 Energy, Director of the Federal Emergency Man-
16 agement Agency,”; and

17 (B) by striking “Director of the Federal
18 Emergency Management Agency shall” and in-
19 serting “Secretary of Transportation shall”; and

20 (2) in the second sentence—

21 (A) by striking “the Secretaries, Adminis-
22 trator, and Directors each shall” and inserting
23 “the Secretary shall”; and

24 (B) by striking “national response team”
25 and inserting “National Response Team”.

1 (e) *DELEGATION OF AUTHORITY*.—Section 5116(g) is
2 amended by striking “Government grant programs” and
3 inserting “Federal financial assistance”.

4 (f) *HAZARDOUS MATERIALS EMERGENCY PREPARED-*
5 *NESS FUND*.—Section 5116(i) is amended—

6 (1) by striking the subsection heading and in-
7 serting “*HAZARDOUS MATERIALS EMERGENCY PRE-*
8 *PAREDNESS FUND*.—”;

9 (2) in the matter preceding paragraph (1)—

10 (A) by inserting “, to be known as the ‘*Haz-*
11 *ardous Materials Emergency Preparedness*
12 *Fund*’,” after “account in the Treasury”; and

13 (B) by striking “section 5108(g)(2)(A) of
14 this title” and all that follows before the period
15 at the end of the first sentence and inserting
16 “this chapter”;

17 (3) by striking “and” at the end of paragraph
18 (2);

19 (4) by redesignating paragraph (3) as para-
20 graph (4); and

21 (5) by inserting after paragraph (2) the fol-
22 lowing:

23 “(3) to publish and distribute the *Emergency Re-*
24 *sponse Guidebook*; and”.

25 (g) *REPORTS*.—In section 5116(k)—

1 (1) *by striking the first sentence and inserting*
2 *the following: “The Secretary shall submit to Congress*
3 *and make available to the public annually a report*
4 *on the allocation and uses of planning grants under*
5 *subsection (a), training grants under subsection (b),*
6 *and grants under subsection (j) and under section*
7 *5107.”; and*

8 (2) *in the second sentence by striking “Such re-*
9 *port” and inserting “The report”.*

10 **SEC. 7015. SPECIAL PERMITS AND EXCLUSIONS.**

11 (a) *SECTION HEADING.—*

12 (1) *IN GENERAL.—Section 5117 is amended by*
13 *striking the section number and heading and insert-*
14 *ing the following:*

15 **“§5117. Special permits and exclusions”.**

16 (2) *CONFORMING AMENDMENT.—The item relat-*
17 *ing to section 5117 in the analysis for chapter 51 is*
18 *amended to read as follows:*

“5117. Special permits and exclusions.”.

19 (b) *SUBSECTION HEADING.—The heading for sub-*
20 *section (a) of section 5117 is amended by striking “EX-*
21 *EMPTY” and inserting “ISSUE SPECIAL PERMITS”.*

22 (c) *AUTHORITY TO ISSUE SPECIAL PERMITS.—Section*
23 *5117(a)(1) is amended—*

1 (1) by striking “an exemption” and inserting “,
2 modify, or terminate a special permit authorizing a
3 variance”; and

4 (2) by striking “transporting, or causing to be
5 transported, hazardous material” and inserting “per-
6 forming a function regulated by the Secretary under
7 section 5103(b)(1)”.

8 (d) *PERIOD OF SPECIAL PERMIT.*—Section 5117(a)(2)
9 is amended to read as follows:

10 “(2) A special permit issued under this section shall
11 be effective for an initial period of not more than 2 years
12 and may be renewed by the Secretary upon application for
13 an additional period of not more than 4 years or, in the
14 case of a special permit relating to section 5112, for an
15 additional period of not more than 2 years.”.

16 (e) *APPLICATIONS.*—Sections 5117(b) is amended—

17 (1) by striking “an exemption” each place it ap-
18 pears and inserting “a special permit”; and

19 (2) by striking “the exemption” and inserting
20 “the special permit”.

21 (f) *DEALING WITH APPLICATIONS PROMPTLY.*—Sec-
22 tion 5117(c) is amended by striking “the exemption” each
23 place it appears and inserting “the special permit”.

24 (g) *LIMITATION ON AUTHORITY.*—Section 5117(e) is
25 amended—

1 (1) by striking “an exemption” and inserting “a
2 special permit”; and

3 (2) by striking “be exempt” and inserting “be
4 granted a variance”.

5 **SEC. 7016. UNIFORM FORMS AND PROCEDURES.**

6 Section 5119 is amended to read as follows:

7 **“§5119. Uniform forms and procedures**

8 “(a) *ESTABLISHMENT OF WORKING GROUP.*—The Sec-
9 retary shall establish a working group of State and local
10 government officials, including representatives of the Na-
11 tional Governors’ Association, the National Association of
12 Counties, the National League of Cities, the United States
13 Conference of Mayors, the National Conference of State Leg-
14 islatures, and the Alliance for Uniform Hazmat Transpor-
15 tation Procedures.

16 “(b) *PURPOSE OF WORKING GROUP.*—The purpose of
17 the working group shall be to establish uniform forms and
18 procedures for a State to register, and to issue permits to,
19 persons that transport, or cause to be transported, haz-
20 ardous material by motor vehicle in the State.

21 “(c) *LIMITATION ON WORKING GROUP.*—The working
22 group may not propose to define or limit the amount of
23 a fee a State may impose or collect.

24 “(d) *PROCEDURE.*—The Secretary shall develop a pro-
25 cedure by which the working group shall harmonize existing

1 *State registration and permit laws and regulations relating*
2 *to the transportation of hazardous materials, with special*
3 *attention paid to each State’s unique safety concerns and*
4 *interest in maintaining strong hazmat safety standards.*

5 “(e) *REPORT OF WORKING GROUP.*—Not later than 18
6 months after the date of enactment of this subsection, the
7 working group shall transmit to the Secretary a report con-
8 taining recommendations for establishing uniform forms
9 and procedures described in subsection (b).

10 “(f) *REGULATIONS.*—Not later than 2 years after the
11 date of enactment of this subsection, the Secretary shall
12 issue regulations to carry out such recommendations of the
13 working group as the Secretary considers appropriate.

14 “(g) *LIMITATION ON STATUTORY CONSTRUCTION.*—
15 Nothing in this section shall be construed as prohibiting
16 a State from voluntarily participating in a program of
17 uniform forms and procedures until such time as the Sec-
18 retary issues regulations under subsection (f).”.

19 **SEC. 7017. INTERNATIONAL UNIFORMITY OF STANDARDS**
20 **AND REQUIREMENTS.**

21 (a) *CONSULTATION.*—Section 5120(b) is amended by
22 inserting “and requirements” after “standards”.

23 (b) *DIFFERENCES WITH INTERNATIONAL STANDARDS*
24 *AND REQUIREMENTS.*—Section 5120(c) is amended—

1 (1) *in paragraph (1) by inserting “or require-*
2 *ment” after “standard” each place it appears; and*

3 (2) *in paragraph (2)—*

4 (A) *by inserting “standard or” before “re-*
5 *quirement” each place it appears; and*

6 (B) *by striking “included in a standard”.*

7 **SEC. 7018. ADMINISTRATIVE.**

8 (a) *GENERAL AUTHORITY.—Section 5121(a) is*
9 *amended—*

10 (1) *in the first sentence by inserting “conduct*
11 *tests,” after “investigate,”;*

12 (2) *in the second sentence by striking “After”*
13 *and inserting “Except as provided in subsections (c)*
14 *and (d), after”;* and

15 (3) *by striking “regulation prescribed” and in-*
16 *serting “regulation, order, special permit, or approval*
17 *issued”.*

18 (b) *RECORDS, REPORTS, AND INFORMATION.—Section*
19 *5121(b) is amended—*

20 (1) *in paragraph (1) by inserting “and prop-*
21 *erty” after “records”;* and

22 (2) *in paragraph (2)—*

23 (A) *by inserting “property,” after*
24 *“records,”;*

1 (B) by inserting “for inspection” after
2 “available”; and

3 (C) by striking “requests” and inserting
4 “undertakes an investigation or makes a re-
5 quest”.

6 (c) *ENHANCED AUTHORITY TO DISCOVER HIDDEN*
7 *SHIPMENTS OF HAZARDOUS MATERIAL.*—Section 5121(c)
8 is amended to read as follows:

9 “(c) *INSPECTIONS AND INVESTIGATIONS.*—

10 “(1) *IN GENERAL.*—A designated officer, em-
11 ployee, or agent of the Secretary—

12 “(A) may inspect and investigate, at a rea-
13 sonable time and in a reasonable manner,
14 records and property relating to a function de-
15 scribed in section 5103(b)(1);

16 “(B) except in the case of packaging imme-
17 diately adjacent to its hazardous material con-
18 tents, may gain access to, open, and examine a
19 package offered for, or in, transportation when
20 the officer, employee, or agent has an objectively
21 reasonable and articulable belief that the package
22 may contain a hazardous material;

23 “(C) may remove from transportation a
24 package or related packages in a shipment of-
25 fered for or in transportation for which—

1 “(i) such officer, employee, or agent
2 has an objectively reasonable and
3 articulable belief that the package may pose
4 an imminent hazard; and

5 “(ii) such officer, employee, or agent
6 contemporaneously documents such belief in
7 accordance with procedures set forth in
8 guidance or regulations prescribed under
9 subsection (e);

10 “(D) may gather information from the of-
11 feror, carrier, packaging manufacturer or re-
12 tester, or other person responsible for the pack-
13 age, to ascertain the nature and hazards of the
14 contents of the package;

15 “(E) as necessary, under terms and condi-
16 tions specified by the Secretary, may order the
17 offeror, carrier, packaging manufacturer or re-
18 tester, or other person responsible for the package
19 to have the package transported to, opened, and
20 the contents examined and analyzed, at a facil-
21 ity appropriate for the conduct of such examina-
22 tion and analysis; and

23 “(F) when safety might otherwise be com-
24 promised, may authorize properly qualified per-

1 *sonnel to assist in the activities conducted under*
2 *this subsection.*

3 “(2) *DISPLAY OF CREDENTIALS.*—*An officer, em-*
4 *ployee, or agent acting under this subsection shall dis-*
5 *play proper credentials when requested.*

6 “(3) *SAFE RESUMPTION OF TRANSPORTATION.*—
7 *In instances when, as a result of an inspection or in-*
8 *vestigation under this subsection, an imminent haz-*
9 *ard is not found to exist, the Secretary, in accordance*
10 *with procedures set forth in regulations prescribed*
11 *under subsection (e), shall assist—*

12 “(A) *in the safe resumption of transpor-*
13 *tation of the package concerned; or*

14 “(B) *in any case in which the hazardous*
15 *material being transported is perishable, in the*
16 *safe and expeditious resumption of transpor-*
17 *tation of the perishable hazardous material.”.*

18 “(d) *EMERGENCY AUTHORITY FOR HAZARDOUS MATE-*
19 *RIAL TRANSPORTATION.*—*Section 5121 is amended—*

20 (1) *by redesignating subsections (d) and (e) as*
21 *subsections (f) and (g), respectively; and*

22 (2) *by inserting after subsection (c) the fol-*
23 *lowing:*

24 “(d) *EMERGENCY ORDERS.*—

1 “(1) *IN GENERAL.*—If, upon inspection, inves-
2 tigation, testing, or research, the Secretary determines
3 that either a violation of a provision of this chapter
4 or a regulation issued under this chapter, or an un-
5 safe condition or practice, constitutes or is causing an
6 imminent hazard, the Secretary may issue an emer-
7 gency order, without notice or the opportunity for a
8 hearing, but only to the extent necessary to abate the
9 imminent hazard.

10 “(2) *WRITTEN ORDERS.*—An emergency order
11 issued under paragraph (1) shall be in writing, de-
12 scribe the violation, condition, or practice that is
13 causing the imminent hazard, and state the restric-
14 tions, prohibitions, recalls, or out-of-service orders
15 issued. The emergency order also shall describe the
16 standards and procedures for obtaining relief from the
17 order.

18 “(3) *OPPORTUNITY FOR REVIEW.*—After issuing
19 an emergency order under paragraph (1), the Sec-
20 retary shall provide an opportunity for review of the
21 order under section 554 of title 5 if a petition for re-
22 view is filed within 20 calendar days after the date
23 of issuance of the order.

24 “(4) *EXPIRATION OF EFFECTIVENESS OF EMER-*
25 *GENCY ORDER.*—If a petition for review is filed for

1 *an order and the review is not completed by the end*
2 *of the 30-day period beginning on the date the peti-*
3 *tion was filed, the order shall cease to be effective at*
4 *the end of that period unless the Secretary determines*
5 *in writing that the emergency situation still exists.*

6 “(e) *REGULATIONS.*—

7 “(1) *TEMPORARY REGULATIONS.*—Not later than
8 60 days after the date of enactment of the *Transpor-*
9 *tation Equity Act: A Legacy for Users*, the Secretary
10 shall issue temporary regulations to carry out sub-
11 sections (c) and (d). The temporary regulations shall
12 expire on the date of issuance of the regulations under
13 paragraph (2).

14 “(2) *FINAL REGULATIONS.*—Not later than 1
15 year after such date of enactment, the Secretary shall
16 issue regulations to carry out subsections (c) and (d)
17 in accordance with subchapter II of chapter 5 of title
18 5.”.

19 (e) *REPORT.*—Section 5121(g) (as redesignated by sub-
20 section (d)(1) of this section) is amended—

21 (1) in the matter preceding paragraph (1) by
22 striking “submit to the President for transmittal to
23 the Congress” and inserting “transmit to the Com-
24 mittee on Transportation and Infrastructure of the
25 House of Representatives and the Committee on Com-

1 *merce, Science, and Transportation of the Senate*”;
2 *and*

3 (2) *in paragraph (4) by inserting “relating to a*
4 *function regulated by the Secretary under section*
5 *5103(b)(1)” after “activities”.*

6 (f) *REPEAL OF OBSOLETE PROVISION.*—Section 5118,
7 *and the item relating to such section in the analysis for*
8 *chapter 51, are repealed.*

9 **SEC. 7019. ENFORCEMENT.**

10 (a) *GENERAL.*—Section 5122(a) *is amended by strik-*
11 *ing the second sentence and inserting “The court may*
12 *award appropriate relief, including a temporary or perma-*
13 *nent injunction, punitive damages, and assessment of civil*
14 *penalties considering the same penalty amounts and factors*
15 *as prescribed for the Secretary in an administrative case*
16 *under section 5123.”.*

17 (b) *IMMINENT HAZARDS.*—Section 5122(b)(1)(B) *is*
18 *amended by striking “or ameliorate the” and inserting “or*
19 *mitigate the”.*

20 **SEC. 7020. CIVIL PENALTY.**

21 (a) *PENALTY.*—Section 5123(a) *is amended—*

22 (1) *in paragraph (1)—*

23 (A) *by striking “regulation prescribed or*
24 *order issued” and inserting “regulation, order,*
25 *special permit, or approval issued”; and*

1 (B) by striking “\$25,000” and inserting
2 “\$50,000”;

3 (2) by redesignating paragraph (2) as para-
4 graph (3); and

5 (3) by inserting after paragraph (1) the fol-
6 lowing:

7 “(2) If the Secretary finds that a violation under para-
8 graph (1) results in death, serious illness, or severe injury
9 to any person or substantial destruction of property, the
10 Secretary may increase the amount of the civil penalty for
11 such violation to not more than \$100,000.”.

12 (b) *HEARING REQUIREMENT.*—Section 5123(b) is
13 amended by striking “regulation prescribed” and inserting
14 “regulation, order, special permit, or approval issued”.

15 (c) *CIVIL ACTIONS TO COLLECT.*—Section 5123(d) is
16 amended by adding at the end the following: “In such ac-
17 tion, the validity, amount, and appropriateness of the civil
18 penalty shall not be subject to review.”.

19 (d) *COMPROMISE.*—Section 5123(e) is amended by
20 striking “before referral to the Attorney General”.

21 **SEC. 7021. CRIMINAL PENALTY.**

22 Section 5124 is amended to read as follows:

23 **“§ 5124. Criminal penalty**

24 “(a) *IN GENERAL.*—A person knowingly violating sec-
25 tion 5104(b) or willfully or recklessly violating this chapter

1 *or a regulation, order, special permit, or approval issued*
2 *under this chapter shall be fined under title 18, imprisoned*
3 *for not more than 5 years, or both; except that the max-*
4 *imum amount of imprisonment shall be 10 years in any*
5 *case in which the violation involves the release of a haz-*
6 *ardous material that results in death or bodily injury to*
7 *any person.*

8 “(b) *KNOWING VIOLATIONS.*—*For purposes of this sec-*
9 *tion—*

10 “(1) *a person acts knowingly when—*

11 “(A) *the person has actual knowledge of the*
12 *facts giving rise to the violation; or*

13 “(B) *a reasonable person acting in the cir-*
14 *cumstances and exercising reasonable care would*
15 *have that knowledge; and*

16 “(2) *knowledge of the existence of a statutory*
17 *provision, or a regulation or a requirement required*
18 *by the Secretary, is not an element of an offense*
19 *under this section.*

20 “(c) *WILLFUL VIOLATIONS.*—*For purposes of this sec-*
21 *tion, a person acts willfully when—*

22 “(1) *the person has knowledge of the facts giving*
23 *rise to the violation; and*

24 “(2) *the person has knowledge that the conduct*
25 *was unlawful.*

1 “(d) *RECKLESS VIOLATIONS*.—For purposes of this
2 section, a person acts recklessly when the person displays
3 a deliberate indifference or conscious disregard to the con-
4 sequences of that person’s conduct.”.

5 **SEC. 7022. PREEMPTION.**

6 (a) *DUAL COMPLIANCE AND OBSTACLE TESTS*.—Sec-
7 tion 5125(a) is amended by striking the subsection heading
8 and inserting “*DUAL COMPLIANCE AND OBSTACLE*
9 *TESTS*.—”.

10 (b) *SUBSTANTIVE DIFFERENCES*.—The second sentence
11 of section 5125(b)(2) is amended by striking “after Novem-
12 ber 16, 1990”.

13 (c) *DECISIONS ON PREEMPTION*.—The third sentence
14 of section 5125(d)(1) is amended by inserting “and publish
15 in the *Federal Register*” after “issue”.

16 (d) *INDEPENDENT APPLICATION OF EACH STAND-*
17 *ARD*.—Section 5125 is amended by inserting after sub-
18 section (f), as redesignated by section 7024(a)(2) of this Act,
19 the following:

20 “(g) *INDEPENDENT APPLICATION OF EACH STAND-*
21 *ARD*.—Subsections (b), (c)(1), (d), and (g) are independent
22 in their application to a requirement of any State, political
23 subdivision of a State, or Indian tribe and shall be reviewed
24 independently.”.

1 **SEC. 7023. RELATIONSHIP TO OTHER LAWS.**

2 *Section 5126(a) is amended by striking “must com-*
3 *ply” and inserting “shall comply”.*

4 **SEC. 7024. JUDICIAL REVIEW.**

5 *(a) REPEAL.—Section 5125 is amended—*

6 *(1) by striking subsection (f);*

7 *(2) by redesignating subsection (g) as subsection*
8 *(f); and*

9 *(3) in subsection (f) (as so redesignated) by mov-*
10 *ing paragraph (2) (including subparagraphs (A)*
11 *through (D)) 2 ems to the left.*

12 *(b) JUDICIAL REVIEW.—Chapter 51 is amended by re-*
13 *designating section 5127 as section 5128 and by inserting*
14 *after section 5126 the following:*

15 **“§5127. Judicial review**

16 *“(a) FILING AND VENUE.—Except as provided in sec-*
17 *tion 20114(c), a person adversely affected or aggrieved by*
18 *a final action of the Secretary under this chapter may peti-*
19 *tion for review of the final action in the United States*
20 *Court of Appeals for the District of Columbia or in the court*
21 *of appeals for the United States for the circuit in which*
22 *the person resides or has its principal place of business.*
23 *The petition must be filed not more than 60 days after the*
24 *Secretary’s action becomes final.*

25 *“(b) JUDICIAL PROCEDURES.—When a petition is*
26 *filed under subsection (a), the clerk of the court immediately*

1 *shall send a copy of the petition to the Secretary. The Sec-*
2 *retary shall file with the court a record of any proceeding*
3 *in which the final action was issued, as provided in section*
4 *2112 of title 28.*

5 “(c) *AUTHORITY OF COURT.*—*The court has exclusive*
6 *jurisdiction, as provided in subchapter II of chapter 5 of*
7 *title 5, to affirm or set aside any part of the Secretary’s*
8 *final action and may order the Secretary to conduct further*
9 *proceedings. Findings of fact by the Secretary, if supported*
10 *by substantial evidence, are conclusive.*

11 “(d) *REQUIREMENT FOR PRIOR OBJECTION.*—*In re-*
12 *viewing a final action under this section, the court may*
13 *consider an objection to a final action of the Secretary only*
14 *if the objection was made in the course of a proceeding or*
15 *review conducted by the Secretary or if there was a reason-*
16 *able ground for not making the objection in the pro-*
17 *ceeding.”.*

18 “(c) *CONFORMING AMENDMENT.*—*The analysis for*
19 *chapter 51 is amended by striking the item relating to sec-*
20 *tion 5127 and inserting the following:*

 “5127. *Judicial review.*

 “5128. *Authorization of appropriations.”.*

21 **SEC. 7025. AUTHORIZATION OF APPROPRIATIONS.**

22 Section 5128 (as redesignated by section 7024) is
23 amended to read as follows:

1 **“§ 5128. Authorizations of appropriations**

2 “(a) *IN GENERAL.*—*In order to carry out this chapter*
3 *(except sections 5107(e), 5108(g)(2), 5113, 5115, 5116, and*
4 *5119), the following amounts are authorized to be appro-*
5 *priated to the Secretary:*

6 “(1) *For fiscal year 2005, \$27,000,000.*

7 “(2) *For fiscal year 2006, \$29,000,000.*

8 “(3) *For fiscal year 2007, \$30,000,000.*

9 “(b) *EMERGENCY PREPAREDNESS FUND.*—*There shall*
10 *be available to the Secretary, from the account established*
11 *pursuant to section 5116(i), for each of fiscal years 2005*
12 *through 2007 the following:*

13 “(1) *To carry out section 5115, \$200,000.*

14 “(2) *To carry out section 5116(a), \$8,000,000.*

15 “(3) *To carry out section 5116(b), \$13,800,000.*

16 “(4) *To carry out section 5116(f), \$150,000.*

17 “(5) *To publish and distribute the Emergency*
18 *Response Guidebook under section 5116(i)(3),*
19 *\$500,000.*

20 “(6) *To pay administrative expenses in accord-*
21 *ance with section 5116(i)(4), \$150,000.*

22 “(7) *To carry out section 5116(j), \$1,000,000.*

23 “(c) *TRAINING OF HAZMAT EMPLOYEE INSTRU-*
24 *TORS.*—*There shall be available to the Secretary, from the*
25 *account established pursuant to section 5116(i), to carry out*

1 *section 5107(e) \$4,000,000 for each of fiscal years 2005*
2 *through 2007.*

3 “(d) *UNIFORM FORMS AND PROCEDURES.*—*There is*
4 *authorized to be appropriated to the Secretary for making*
5 *grants to States participating in the working group estab-*
6 *lished under section 5119 \$1,000,000 for each of the fiscal*
7 *years 2005 and 2006.*

8 “(e) *ISSUANCE OF HAZMAT LICENSES.*—*There are au-*
9 *thorized to be appropriated for the Department of Trans-*
10 *portation such amounts as may be necessary to carry out*
11 *section 5103a.*

12 “(f) *CREDITS TO APPROPRIATIONS.*—*The Secretary*
13 *may credit to any appropriation to carry out this chapter*
14 *an amount received from a State, Indian tribe, or other*
15 *public authority or private entity for expenses the Secretary*
16 *incurs in providing training to the State, authority, or en-*
17 *tity.*

18 “(g) *AVAILABILITY OF AMOUNTS.*—*Amounts made*
19 *available by or under this section remain available until*
20 *expended.”.*

21 **SEC. 7026. DETERMINING AMOUNT OF UNDECLARED SHIP-**
22 **MENTS OF HAZARDOUS MATERIALS ENTER-**
23 **ING THE UNITED STATES.**

24 “(a) *STUDY.*—*The Comptroller General shall conduct a*
25 *study to propose methods of determining the amount of*

1 *undeclared shipments of hazardous materials (as defined in*
 2 *section 5101 of title 49, United States Code) entering the*
 3 *United States.*

4 *(b) REPORT.—Not later than 1 year after the date of*
 5 *enactment of this Act, the Comptroller General shall trans-*
 6 *mit to the Committee on Transportation and Infrastructure*
 7 *of the House of Representatives and the Committee on Com-*
 8 *merce, Science, and Transportation of the Senate a report*
 9 *on the results of the study.*

10 **SEC. 7027. CONFORMING AMENDMENTS.**

11 *Chapter 51 is amended by striking “Secretary of*
 12 *Transportation” each place it appears (other than the sec-*
 13 *ond place it appears in section 5108(g)(2)(C), the first place*
 14 *it appears in section 5115(a), and in sections 5116(g),*
 15 *5116(i), and 5120(a)) and inserting “Secretary”.*

16 **TITLE VIII—TRANSPORTATION**
 17 **DISCRETIONARY SPENDING**
 18 **GUARANTEE**

19 **SEC. 8001. POLICY.**

20 *This title will continue sections 8101 and 8103 of the*
 21 *Transportation Equity Act for the 21st Century that guar-*
 22 *antee that specific levels of authorized funding will be avail-*
 23 *able for obligation each year by continuing the highway cat-*
 24 *egory budgetary firewall, which protects the Federal-aid*
 25 *highway program’s obligation limitation, the programs of*

1 *the Federal Motor Carrier Safety Administration, and the*
2 *portion of the National Highway Traffic Safety Adminis-*
3 *tration's programs funded from the Highway Trust Fund,*
4 *and the mass transit category budgetary firewall, which*
5 *protects the portion of the Federal Transit Administration*
6 *programs funded from the Mass Transit Account of the*
7 *Highway Trust Fund and the portion of such programs*
8 *funded from the general fund of the Treasury.*

Union Calendar No. 5

109TH CONGRESS
1ST Session

H. R. 3

[Report No. 109-12]

A BILL

To authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

MARCH 7, 2005

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed